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ABSTRACT

This unit on economic decision-making is the fourth of five units in a ninth grade social studies course (see SO 010 891). Major objectives are to help students (1) explain how dissent and protest may be used as effective means of change and to consider the consequences of such actions; (2) examine the judicial branch of government in order to generalize about how one's life has been affected by decisions of the courts; (3) examine the legislative branch in order to trace the process of decision making and identify the forces affecting the process; (4) analyze the executive branch in order to recognize the influences affecting executive decision-making; and (5) justify a political decision based on an analysis of the political process. The unit is divided into five parts: the first deals with dissent and protest; the second, third, and fourth examine the judicial, legislative, and executive branches of government on the local, state, and federal level. The last part focuses on the individual citizen and the citizen's influence on the political decision making process. The five parts contain lessons which are inquiry-oriented and are based on student activities. Each lesson contains a stated purpose, a classroom procedure, suggested materials, and teaching variations. Resource pages for activities are included. (Author/JK)

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Government: Political Decision-Making. Decision-Making in Contemporary America, Univ IV.

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CARROLL COUNTY BOARD OF EDUCATION

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SØ 010 894

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Unit: The Citizen's Role in Government

A. Rationale

"Don't Tread on Me...."No Taxation Without Representation"... "Burn, Baby, Burn."..."Make Love, Not War." These quotations are examples of slogans used to express dissatifaction with the way government works. In this study, you will learn how your government operates as a representative democracy and strives to make decisions which satisfactorily resolve conflicts between individuals and groups.

There are three basic purposes in this unit. First, you will learn that the Constitution and Bill of Rights not only guarantee our right to protest; they suggest it is our duty as citizens to dissent against unjust-policies. Then you will become aware of how government functions on national, state, and local levels in order to understand how these institutions directly influence your everyday life. Finally, you will learn that participating citizens can effect change and have real input into this governmental system.

B. Major Objectives

1. You will explain how dissent and protest may be used as effective means of change and consider the consequences of such actions.

2. You will examine the judicial branch of government in order to generalize about how your life has been effected by decisions of the courts.

3. You will examine the legislative branch of government in order to trace the process of decision-making and identify the forces effecting the process.

4. You will analyze the executive branch of government in order to recognize the influences effecting executive decision-making.

5. You will justify a political decision based on an analysis of the political process and a recognition of the factors affecting political behavior.

C. Key Questions

1. How are dissent and protest effectively used to bring about social change?

2. How do decisions made by the courts affect our lives?

3. What factors effect the legislative decision-making process? How?

4. What forces influence the executive decision-making process? How?

5. How can the individual citizen effectively influence the political decision-making process?

D. Major Skills

You will learn to:

1. Compare information about a topic drawn from two or more sources to recognize agreement or contradiction.
2. Respect the rights of others to be heard.
3. Justify personal views on public issues.
4. Recognize the need to change conclusions when new information warrants.
5. Use problem solving techniques in meeting personal and societal problems.
6. Exchange ideas through discussion, either as leader or participant.
7. Participate effectively in class activities such as role-plays, simulations and discussions.
8. Recognize propaganda in a given context.
9. Recognize political cartoons as expressing a point of view and interpreting the view conveyed.
10. Examine sources of information to determine which is more acceptable and why.

## INTEGRATION OF STATE AND LOCAL GOVERNMENT

The four Learning Activities Packages recommended for this program were developed during the summer of 1974 to help classroom teachers integrate into their classroom activities the state and local government social studies requirement mandated by Maryland state law.

Listed below are suggested units for the utilization of each of the packages. While they may be used in their entirety in an individualized or self-pacing approach, they may also be reorganized and presented as separate classroom activities in a teacher-directed setting during the following experiences. Remember, activities on all three levels of government are emphasized in the unit, "Government: Political Decision-Making." included in this guide.

"The Functions of County Commissioners"
Unit: Government
Experience IV: The Executive Branch

"The County Executive Form of Government"
Unit: Government
Experience III: The Legislative Branch

Experience IV: The Executive Branch

"Interest Groups and You"
Unit: Government
Experience V: Political Involvement

"State Government and You"
Unit: Government
Experience III: The Legislative Branch

Experience IV: The Executive Branch

Experience I: Dissent and Protest

A. Key Question

How are dissent and protest effectively used to bring about social change?

B. Purpose:

Dissent and protest have long played a significant role in promoting social change in America. Our Bill of Rights clearly establishes consent for the right to dissent. While it is important for the student to understand his rights as a citizen, it is equally important that he recognizes the responsibilities which accompany these rights.

C. Objectives:

The student will explain how dissent and protest may be used as an effective means of change and consider the consequences of such actions.

1. The student will hypothesize reasons for the formation of government and compare this list with the purposes presented in the Preamble of the U.S. Constitution.

2. Given a series of situations, the student will distinguish between dissent and protest.

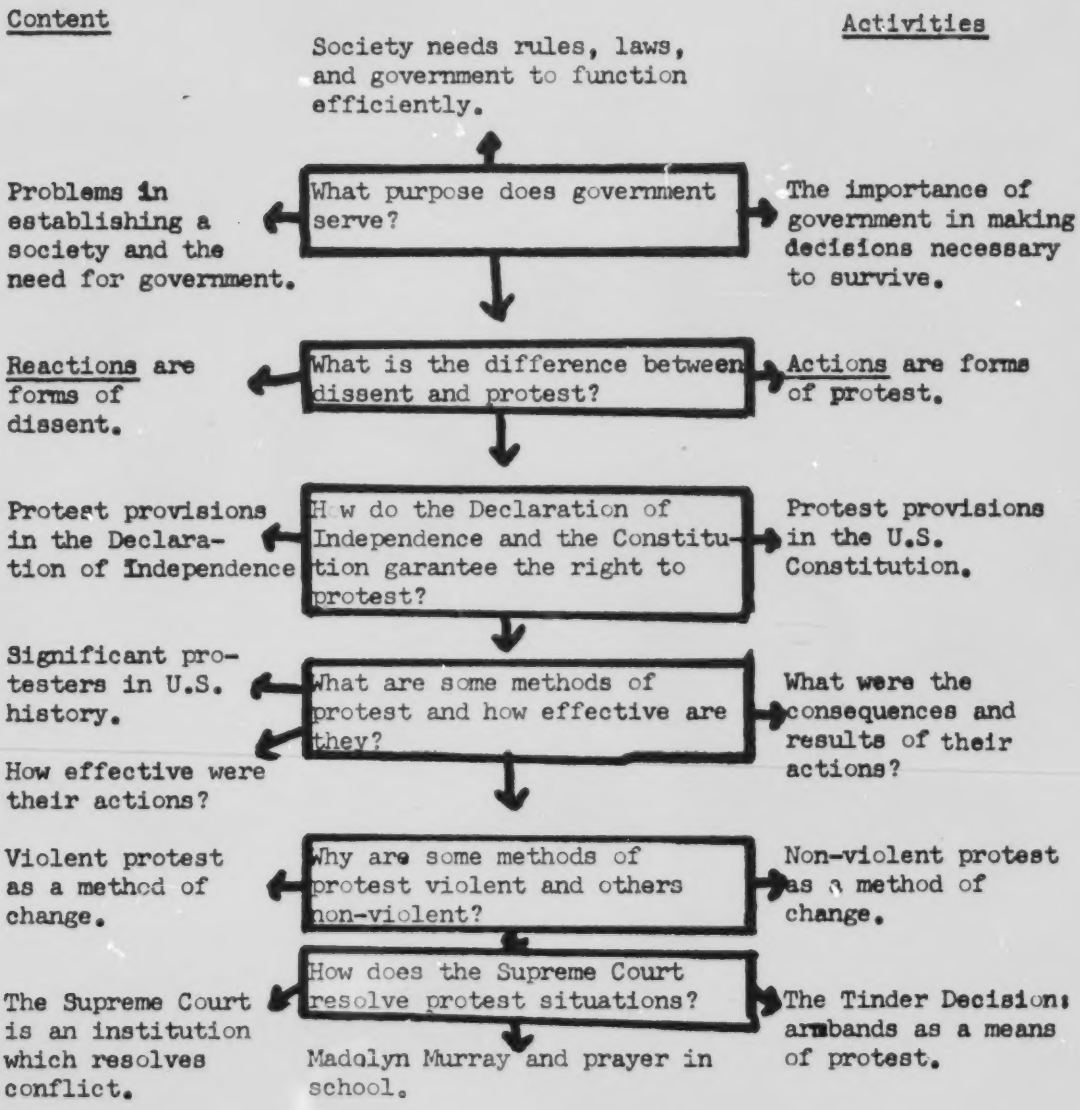
3. Through the examination of the Declaration of Independence and the Constitution, the student will give examples of provisions that guarantee their right to protest.

4. Given a series of vignettes, the student will examine the types and methods of protest and judge the effectiveness of each.

5. The student will analyze several case studies in order to clarify reasons for violent and non-violent protest.

6. Based on an in-depth analysis of a prominent example of non-violent protest, the student will examine the role of the Supreme Court in conflict resolutions.

Teacher Over-View of "Dissent and Protest"


Content
Activities
Society needs rules, laws, and government to function efficiently.
What purpose does government serve?
Problems in establishing a society and the need for government.
The importance of government in making decisions necessary to survive.
What is the difference between dissent and protest?
Reactions are forms of dissent.
Actions are forms of protest.
How do the Declaration of Independence and the Constitution garantee the right to protest?
Protest provisions in the Declaration of Independence
Protest provisions in the U.S. Constitution.
What are some methods of protest and how effective are they?
Significant protesters in U.S. history.
How effective were their actions?
What were the consequences and results of their actions?
Why are some methods of protest violent and others non-violent?
Violent protest as a method of change.
Non-violent protest as a method of change.
How does the Supreme Court resolve protest situations?
The Supreme Court is an institution which resolves conflict.
The Tinder Decision: armbands as a means of protest.
Madalyn Murray and prayer in school.

D. Suggested Activities

1. What purpose does government serve?

a. Society without Rules (Objective 1)

Purpose: By providing a hypothetical situation, the students will consider the problems that might develop in establishing a society and the need for government.

Procedure:

(1) Motivation: Pose the question, "Why do we have government?" Quickly list the responses on the board. Then tell them that they will now have a chance to consider life without government.

(2) Have the class read pages 1-5 in Crimes and Justice. Discussion questions are provided at intervals in the reading.

(3) Focus a discussion on the important needs of the group and their alternatives for meeting them. Consider the importance of government and the purposes it serves.

(4) Reconsider the list that was generated earlier and make any necessary additions.

(5) As a possible extension of this activity, have the students complete one of the "Things to do" on page 5.

Variation:

Use The Caine Mutiny from "Foundations of Government," pages 9-13. This reading involves a situation where leadership is in question.

Materials Needed: Crimes and Justice, Houghton-Mifflin.

b. Shipwreck (Objective 1, average and low ability)

Purpose: This simulation is designed to help students realize the importance of government by having them make decisions necessary to survive in a hypothetical situation.

Procedure

(1) Motivation: Have the students list three items they would take with them if they were stranded on a desert island. Briefly explore their responses.

(2) Consult the teacher's guide to Shipwreck and Other Government Games by Search to organize the activity. The simulation is divided into seven sections, each focusing on one social problem. These problems are:

(a) Leadership and government
(b) Housing and basic services
(c) Property
(d) Money
(e) Civil disobedience and crime
(f) Laws and ecology
(g) International aggression.

It is recommended that you complete all seven segments, time permitting, so that these problems may later be compared with the stated purposes of our government.

(3) In debriefing the activity, focus on the need for government in a society and the services it provides. Discussion questions are provided in the teacher's guide. Also reconsider the kinds of items they listed at the beginning of the activity. Were they likely to survive with those items? Did the items reflect basic needs or wants?

(4) As an evaluation, ask the students to list five to seven purposes that government served on Terra or to write a paragraph describing life without government.

Materials Needed:

Shipwreck and Other Government Games by Search.

e. Wild in the Halls (Objective 1)

Purpose:

This activity is an alternate strategy for teaching students that society needs rules, laws, and government to function efficiently.

Procedure:

(1) Distribute copies of GR-1, "Wild in the Halls".

(2) In the story Eric says,"I fought and killed to end what went before..." Ask students to make a list of what had probably caused Eric and his supporters to initiate their revolution. Compile a class list on the board.

(3) At this point the class consenus will be that Eric was basically anti-rules and/or government. Ask the class— What evidence is there that even Eric saw the need for rules and government?

(4) Have students generate a list of services and needs they require day in and day out which government provides.

(5) Have students write a response to the statement, "Government gets in the way so much we should can it and have total freedom."

Materials needed

Class copies of GR-1

d. **"Soup to Nuts"** (Objective 1)

Purpose: This four part filmstrip activity is from the Law in a Free Society experimental materials On Authority. Available on loan from Don Vetter (848-8280), it consists of a humorous four part animated cartoon which examines the problems inherent in the creation of a government.

Procedure

(1) Help students define the words "panacea" and "prestidigitation" before showing Part I of the filmstrip. Debrief by discussing:

(a) Why do you think that after there was no government, people had to spend a lot of time and energy defending themselves and their property?

(b) What problems might arise when people try to live together without government?

(c) What do you think would be a good way to deal with the problems which arose after there was no government?

(2) Help students define the term "benevolent despot" before showing Part II of the filmstrip. Debrief by discussing:

(a) Why do you think the concerned citizens wanted a benevolent despot?

(b) What was to be the role of this person?

(c) What was the first thing Dorothy DuJour did after she became benevolent despot? Why?

(3) Help students define the term "costs and benefits" before showing Part III of the filmstrip. Debrief by discussing:

(a) What were the benefits of some of Dorothy DuJour's brand of authority?

(b) What were some costs?

(c) Why do you think that some citizens worried about whether it was a good idea to have given so much power to just one person.

(4) Show Part IV of the filmstrip and debrief by discussing:

(a) What were the four rules made by Dorothy DuJour? List them on the board.

(b) Taking the rules one at a time, discuss each by focusing on these questions: "What do you think about this rule (Good or bad and why)? What is the purpose of the rule? Is it fair? Why? How does the rule affect the citizens?

1. The "One Soup" Rule.
2. The "No Nasty Statement" Rule.
3. The "Soup for Lunch and Dinner" Rule.
4. The "Send me a Quarter for a Monument" Rule.

(5) As a transition to the following activities on dissent and protest, have the class discuss "What alternatives are available to citizens who strongly disagree with the way their leaders are running the government?"

Materials Needed:

(1) "Soup to Nuts" four part sound filmstrip.

(2) A Teacher's Guide: On Authority,
Unit V from Law in a Free Society

Both are available from Don Vetter, 848-8280

d. **Founding Fathers** (To attain Objective 1, this activity should be used.)

Purpose: After considering the purposes of government in hopothetical situations, the students will now consider the purposes of the U.S. government as stated in the Preamble to the Constitution.

Procedure:

(1) Motivation and Review: Have students list on the board all the purposes of government that they can think of.

(2) Read pages 13-14 in Foundations of Our Government. Then discuss what life in the U.S. would be like without government.

(3) Introduce this next section by stating that our "Founding Fathers" had specific purposes in mind when they created our government. Read pages 14-17 and then review the six stated purposes of our government. Discuss the reasons behind them.

(4) Conclude by contrasting the list of purposes generated at the beginning of the lesson with the six brought out in the reading.

Variation:

Some students may be motivated to do individual research on one or several of our Founding Fathers or the circumstances surrounding the writing of the Constitution.

Materials Needed:

Foundations of Our Government

2. **What is the difference between dissent and protest?**

a. **Case Studies** (Objective 2)

Purpose: This activity is designed to introduce the terms dissent and protest and distinquish between them.

Procedure:

(1) Put terms dissent and protest on the board. Have class arrive at a working definition for the terms.

(2) To further reinforce the difference between the terms, have students examine hypothetical cases A and B on GR-2. Determine which is an example of dissent and which is an example of protest and why.

(3) After discussing cases A and B from GR-2, have students read Case "C". They may work individually or in groups in formulating a plan of action. Make sure they note the change from dissent to protest in their plan of action.

(4) As a summary of the activity, have the students present their plan of action and explain why they chose that particular plan. The rest of the class may question the group as to probable effectiveness and reaction from the community.

Variations:

You may wish to use Citizen Harold (F243A available from the Resource Center) to show how one citizen decides to let City Hall know how he feels.

Materials Needed:

Class copies of Student Resource GR-2.

b. **Dissent and Protest: A classroom example (Objective 2, 3)**

Purpose: This activity will help the student understand the various forms of protest which may be utilized and to realize that, although dissent and protest are a right and duty, there are guidelines regulating them.

Procedure:

(1) In an effort to motivate the class, list the following on the chalkboard under the heading "Requirements for Passing Mr/Mrs. _____ Class"

(a) Satisfactory completion of all assigned work.
(b) On time for each class with NO excuses accepted.
(c) Not miss the class more than twice for the year.
(d) Wear suitable clothing to class-NO Dungarees allowed.

Have students copy the rules and then write their reaction to their willingness to go along with them. Where disagreements arise, they should list what they would do, Instead!!

(Note: these "Inabilities to go along" are forms of dissent and the "Insteads" will be examples of the protest)

(2) Read the following statement to the class: "Each of you has a Right to an education. I have a Right to make sure certain requirements are met in getting that education. I feel that the above list helps all of us attain our Rights. Since I am the teacher, and somewhat older than you, it seems that my constitutional understanding overrides yours and therefore, if you are going to learn/pass, you'll do it my way or else." Open class for general discussion and list their disagreements. Next, solicit their ways for changing and/or eliminating the rules they feel to be unjust, unfair, or possibly unconstitutional.

(3) As an evaluation, have the students consider their reactions and suggestions for change. Were they dissent or protest? Next, conduct a brainstorming session to expand their list to include all possible means of dissent and protest. Conclude by posing the questions: "What guidelines should be applied to dissent and protest? What kinds of dissent and protest are acceptable? Unacceptable?"

3. How do the Declaration of Independence and the Constitution guarantee the right to protest?

Historical and legal bases of the right to protest (Objective 3)

Purpose: Dissent and protest are both accepted and expected forms of redress of grievance. This activity is designed to make the student aware of the historical bases for dissent and protest contained in the Declaration of Independence and the Constitution.

Procedure:

(1) Pose Question: Do Americans have the right to protest? Where did this right come from? (Work student responses toward Declaration of Independence and Constitution).

(2) Place students in groups of 5-6. Hand out copies of the Declaration of Independence and the Constitution. Have students read each and list references to the right to dissent which they find.

(3) Have each group read their list aloud. Compile a uniform list for the class on chalk board.

(4) Debrief by critically evaluating the list.

**Variation:**

To illustrate the relationship between the culture of the Jewish people and the development of American political ideology, show "The Evolution of American Values" From Law and Order: in Crisis by Warren Schloat. Have students identify specific examples of accepted values which may have influenced the foundation upon which our government is based.

**Materials Needed:**

(1) Declaration of Independence*
(2) Preamble to Constitution*
*Both may be found in Foundations of Our Government.

4. What are some methods of protest and how effective are they?

a. Dissenters One and All (Objectives 4, 5)

**Purpose:**

This activity is designed to review the concept of dissent and introduce the concept of civil disobedience. Be sure to provide time for library work in order to give students a chance to practice research techniques.

**Procedure:**

(1) Distribute GR-3a.

(2) Prepare a list of case studies of people who have utilized civil disobedience as a protest methods. Be sure adequate resource materials are available. Some suggested dissenters are:

| | |
|---|---|
| John Brown | H. Rap Brown |
| The Berrigans | Mahatma Gandhi |
| Martin L. King Jr. | Samuel Adams |
| Cassius Clay | Col. Billy Mitchell |
| Jesus Christ | Curt Flood |
| Bejamin Spock | |

Variations:

(1) The filmstrip "Civil Disobedience," K 158 in the Resource Center, presents the concept of civil disobedience, its philosophical foundations, and provides examples. It may also be desirable for this activity to introduce the concept of civil disorder and how it compares to civil disobedience. Some of the protesters listed on the preceding page engaged in civil disorder.

(2) Submitted by Ira Hiberman of SCHS.
Objectives:

(a) Identify the actions of people which cause them to be considered controversial.

(b) Evaluate the methods used by dissenters to bring about change.

(c) Contemplate the traits, possessed by dissenters, which are to be admired.

Suggestions:

Select twelve students who possess the ability to do independent research and who are capable of serving as resource people for the rest of the class. Distribute GR-3b to these twelve students at least five days prior to the point where you desire to start the activity. Allow them to use class time for their research experience (they are to be released from class to use the media center). When these students have finished their research investigation, you are ready to move the rest of the class into the activity. Distribute GR-3c to the rest of the class and fill them in on the purpose and the predadures of the two day experience. Have your resource people set up "stations" in various parts of the room and instruct the rest of the class that they are to interview at least six famous dissenters within the two day period. Be sure students understand that they are to probe the resource people for information. Resource people are to be told not to lecture, not to read notes, and not to be preoccupied in small and trite details. The atmosphere is to be informal and the discussion is designed to be free flowing and natural.

Resources:

Biographies to be found in the media center.

Materials Needed:

Resource Sheets GR-3a b c

Selected biographies on dissenters and protesters

b. Black Protest Options of the 60's (Objectives 4, 5)

Purpose: (Option to Activity 4a preceding)

This activity will show students the alternative methods of protest open to blacks in the 1960's. The approaches advocated by several prominent dissenters are clearly depicted in on-site film footage.

Procedure:

(1) The following films are available in the resource center. F25F; F38F;F33F; F28F; F27F. Each one is approximately three minutes long and deals with one protester.

(2) Briefly explain to students the major concerns of black Americans during the 1960's. Many black Americans were dissenters who wanted to cause change by protesting.

(3) Tell the class they will see five short films about five men who each advocated a different method of protest.

(4) Distribute GR 4. Give the students a chance to complete appropiate aspects of the chart following each film.

(5) In the discussion, methods used by these protesters should be emphasized. Possible consequences of violent vs. non-violent protest should be evaluated. Ask them to consider why some favored violence and others did not.

NOTE: PRIOR TO SHOWING F33F, TELL THE CLASS THE SECOND SPEECH WAS GIVEN THE NIGHT BEFORE KING WAS ASSASINATED. ASK THEM TO VIEW IT WITH THAT IN MIND AND CHECK THEIR REACTION WHEN IT'S OVER.

Materials Needed:

Black Views on Race: Time-Life Film Series

| | |
|---|---|
| H. Rap Brown - | F25F |
| Jim Brown - | F27F |
| Stokely Carmichael - | F28F |
| Martin Luther King - | F33F |
| Bobby Seale - | F38F |

Resource Sheet GR-4

c. Martin Luther King, Jr.: Non-Violent Protest and Civil Disobedience (Objectives 4, 5)

Purpose: (Option to Activities 4a and b preceding)

This activity will introduce students to civil disobedience and show how it has been effectively used as a means of protest.

Procedure:

(1) The film "I have a Dream", F74D, is available in the Resource Center. The film depicts Dr. King and his struggle for civil rights. It does an excellent job of illustrating civil disobedience and non-violent protest.

(2) Some possible questions for students to consider would be:

(a) What is civil disobedience?

(b) Was this an original idea of Dr. King's?

(c) What qualities would a person need in order to use civil disobedience as a means of non-violent protest?

(d) Would Dr. King's methods have served to get public opinion on his side throughout the rest of America?

(e) If you were going to organize a non-violent protest using civil disobedience, what cautions would you give to your supporters?

(f) How do you rate the effectiveness of civil disobedience?

Materials Needed:

F74D from Resource Center

d. **Songs of protest** (Objective 4)

**Purpose:**

This activity will illustrate to students an alternate method of protest to which they are constantly subjected.

**Procedure:**

(1) The teacher should find several examples of protest songs. The selections are most effective when they are more recent. However a few examples from the protests of the sixties may provide examples of different types of music. Some examples which have been effectively used are:

(a) "Revolution" by the Beatles.

(b) "We Can Make It Happen;" "Progress?" and "Does Anybody Really Know What Time It Is?" by Chicago

(c) "Where Have All the Flowers Gone?" by Peter, Paul and Mary.

(d) "Too High" and "Livin For the City" by Stevie Wonder.

(e) "Ohio" by Crosby, Stills, Nash and Young.

(2) For each song, students should identify the issues involved, methods of change which are advocated and any alternatives that the song suggests.

(3) Further, the students may determine the attitude of the song's composer toward the issue or government and why the song became popular—lyrics or tune?

(4) This activity may be even more effective if the students bring in their own examples of protest music.

**Variation:**

GR-5 is another way of analyzing individual methods of protest. The teacher may want to distribute copies of it so that during the rest of the experience specific examples of protest can be analyzed.

e. Vignettes (Objective 4)

Purpose:

This activity is designed to allow the student to examine the various types and methods of protest through case studies and to allow them to judge the effectiveness of each method.

Procedure:

(1) Motivation: Present class with a hypothetical situation and have them state what they would do. Example—the school board has decided to drop all sports programs due to high cost. What can the student body do? List the suggestions the students come up with. How effective are they? What would the community reaction be? Which method is best? Why?

(2) Using a variety of resources, have students list the type, method, and effectiveness of each. You may wish to place student in pairs, small groups or have them work individually.

Sources:

(a) AEP Community Change. This selection focuses on a small community of Deerfield, Illinois and how the citizens react to a proposed integrated housing development.

(b) AEP Municipal Politics. This selection centers on a proposed park at Parsons Point. The community splits into pro and con. This booklet brings out the methods used by the various groups to get their opinion across.

(c) Dissent and Protest. This booklet contains a series of case studies that are divided into categories of reasons to dissent, limits of dissent, working from within and breaking the law.

(3) Summary: Construct a chart, based on the case studies and have class work together in completing it.

EXAMPLE:

| Case | Type | Method | Effectiveness | Possible Consequences |
|---|---|---|---|---|
| Father Berrigan | Non-violent | Pour blood on draft records | Very-called attention to his stand on the war. | Imprisonment |

**Variations:**

(1) Role play the situations from the suggested texts or make up some of your own.

(2) Show Parts 4 and 5 of Law and Order: Values in Crisis which deal with violent and non-violent dissent. Discuss:

(a) Should persons who disagree with existing regulations work within the system to bring about change? Why?

(b) Do you believe that some forms of civil disobedience are legitimate? Explain.

(c) Should a person who violated a law which he believes to be just be prosecuted to the fullest extent of the law, or should he be granted leniency because of his personal conviction? Why?

**Materials Needed:**

(1) Community Change, Xerox (AEP)
(2) Dissent and Protest, Xerox (AEP)
(3) Municipal Politics, Xerox (AEP)
(4) Law and Order: Values in Crisis, Warren Schloat filmstrip series

f. Storm King Mountain Controversy (Objective 4, high ability)

Purpose:

This activity is designed to have the students role-play a situation that focuses on citizen's groups and the methods they use to protest.

Procedure:

(1) The text, Voices for Justice, contains the entire procedure for this role play activity.

(2) The roles are describes on p. 29 and procedure is outlined on p. 30. Scripts are included and begin on P. 31-33. It will probably take 1 to 2 days to conduct the hearing and arrive at a decision.

(3) Summary questions may be found on p. 34

Variation:

Show "People's Park: A Case Study in Value Conflict" and debrief using the suggestions in the teacher's guide.

Materials Needed:

(1) Voices for Justice, Ginn Co.
(2) Law and Order: Values in Crisis, Warren Schloat filmstrip Series.

g. **Alienation as a method of dissent and protest**

**Purpose:**

This activity is designed to analyze alienation as a means of "bucking the system".

**Procedure:**

(1) Develop a working definition of the term alienation. Teacher may wish to do this by asking volunteers to speculate, giving examples to illustrate alienation, and/or asking a volunteer to look the term up in the dictionary and restate in his/her own words.

(2) Read aloud to students p. 316 in Fenton: Comparative Political Systems. This is an introduction to the concept of alienation.

(3) Hand out copies of GR-6. Inform students that they should write the definitions of the words as they read.

(4) Assign the following readings from Fenton, Comparative Political Systems.

(a) "Gas Route Whites Who Upset Buses at Carolina School" pp. 317-318.

(b) "Fifteen Are Arrested in Attack on Buses with Negro Children in South Carolina" pp. 318-320.

(5) Inform students that they should answer questions at bottom of Gr-6 after reading.

(6) Allow time for students to complete assignment.

(7) Debrief through a discussion based on guide questions.

**Materials:**

GR-6 and Fenton: Comparative Political Systems.

h. Dissent and Protest vs. Patriotism

Purpose:

When considering acts of dissent and protest, often the issue of patriotism arises. Many people view dissent and protest as unpatriotic and destructive while others take quite the opposite stand. By using the "Pledge of Allegiance" as an example, the students will have the opportunity to investigate these issues through role playing and debriefing. It is important that this activity be completed in all classes.

Procedure:

(1) Motivation: Conduct a "vote with your feet" survey. Designate opposite sides of the room as "Agree" and "Disagree." As you read the survey statements, have the students move to the area of the room that reflects their individual opinion. Briefly discuss each statement and the reasons for their position. It may not be necessary to use all 7, but the last one is a lead-in to the activity.

(a) Communists should not be allowed to talk to students at school.

(b) People should not be allowed to march in anti-draft parades during wartime.

(c) The definition of "traitor" should include those who are against the involvement of the U.S. in any war

(d) School teachers and administrators should be able to stop students from making unpatriotic statements.

(e) Way out groups like the KKK, Communist Party, Black Muslims and American Nazis should be outlawed.

(f) People who insult the President should be made to apologize.

(g) Any American who refuses to say the "pledge" should be punished.

(2) To tie together this first phase of this activity, consider the importance of the guarantees on our rights to dissent and protest. If many students feel that these rights do not apply to patriotism issues, ask them if our "Founding Fathers" were being patriotic when they founded out government

(3) Have the students read "I will never pledge allegiance to that flag," pp. 7-8 in Freedom of Expression. Discussion questions are provided. Focus on the question of whether students have the right to protest by not saying the pledge.

Note: The question of Maryland or Carroll County policy concerning the pledge may arise at this time. Take a "wait and see" stand, as it is built in as the culmination of this activity.

(4) A simulation is provided on pp. 65-71 in Freedom of Expression. It follows the Robin Hall case through and allows the students to deal with the issue in a Board of Education meeting. When the meeting is concluded, debrief the experience carefully, focusing on the stand of the Board of Education in relation to dissent and protest.

(5) As a culmination, consider the current status of the pledge in Maryland and Carroll County. Begin by asking the students what they think the policy is, discuss it a moment, then distribute GR-7. It is an excerpt of the Maryland Code pertaining to patriotic exercises in the schools and has noticeably changed the past policy. Have them read the "legal verbiage" and summarize its contents. Discuss the impact and implications of this law, and have the students consider what kinds of punishment should be applied and what alternatives the Board of Education should provide.

Variation:

Actually begin class with the "Pledge" led by a volunteer.

Materials Needed: Freedom of Expression and GR-7.

5. What is the role of the individual in a protest movement?

a. Strikes as Examples of Dissent - Protest (Objective 4, 5)

Purpose: This lesson will present the students with a popular form of dissent/protest in which they may someday be called upon to participate.

Procedure:

(1) Ask the class for the names of unions or other groups that are 'presently' on strike. Discuss whether striking as a form of protest is:

| | | |
|---|---|---|
| acceptable | violent | active |
| unacceptable | non-violent | passive |

This is an excellent opportunity to utilise newspapers and periodical literature.

(2) Select one of the active major strikes taking place or create a strike situation and:
   (a) divide the class into groups of those who support the strike and those who do not.
   (b) allow time for compiling reasons for their choices and then have them presented to the full class for discussion.

(3) By means of a homework assignment, involve students in the newspaper, T.V., or radio. List the name, purpose and type of strike and classify it as in (1) above. They should write an opinion as to whether or not the 'strike' is likely to bring about the desired results.

Materials Needed: Newspaper

b. Dissent and Protest in the Newspaper (Objective 2, 4, 5)

Purpose: This activity will show how dissenting and protesting are occurring now! The relevance of this classroom topic to happenings in the real world will add credence to our statements that government can and does affect their lives.

Procedure:

(1) At appropriate times during this experience, students should check the newspaper to find examples of dissent and protest.

(2) In addition to perusing the first page of the newspaper, tell them to search for examples elsewhere in the paper. Possibilities are cartoons, comics, editorials, letters to editors and columnists.

(3) As students find examples, they should determine:
   (a) Is this an example of dissent or protest?
   (b) What issues are involved?
   (c) Who is protesting?
   (d) What method is being used?
   (e) Is the protest violent in nature?
   (f) Could the protest erupt into a violent situation?
   (g) Do you think the protestors will be successful?

Materials Needed: Newspapers

e. "Is it Always Right to be Right?" (Objective 5)

Purpose: Throughout this experience, dissenting from an accepted point of view has been discussed. The student must be made aware that when he becomes a dissenter or protestor, he will not necessarily be safe in his rightness, and must consider the possible effects of remaining firm in his views.

Procedure:

(1) After showing the film, "Is it Always Right to be Right?", ask students to:
   (a) Determine the main problem which existed between the two sides?
   (b) Relate the film to our discussion of dissent and protest.

(2) Then ask students:
   (a) How can situations which result in "gaps" best be stopped?
   (b) How can you as an opinionated person avoid a situation where you and another person may create a "gap"?

Materials Needed: "Is it Always Right to be Right?" F265A

Variation:

1. Using the following guidelines, complete the activity entitled "The Student Council." (GR-8)

2. After the students read the episode, have them decide what Martha should do.

3. Divide the class into groups.
   If you must modify the episode, ask students what Martha should do if the picketing were taking place in school where Mr. Owens had authority.

4. Have the students share reasons in groups. Have them record their three best reasons.

5. Have students share reasons with the class.

   Discussion questions, when necessary:

   Should Martha refuse to call off the picketing even if it means she will be expelled from school?

   Should the students stop picketing because they know Martha is in a tough position?

6. Have students reconsider the episode in light of the reasons they have heard. They should decide again about what actions the main character should take. Conclude by debriefing the process for reasoning about moral issues.

Materials Needed: "Is it Always Right to be Right?"
Student Resource GR-8

6. How does the Supreme Court resolve protest situations?

a. Madalyn Murray

Purpose: This activity takes an example of protest that began in a Maryland court and finally was decided by the Supreme Court. It is designed to provide continuity from this experience into the next experience on the judicial branch.

Procedure:

(1) Introduce the idea that some protests have resulted in decisions that have directly affected the lives of all students. Ask for volunteers to suggest some such decisions.

(2) Using the Madalyn Murray O'Hare case from American Political Behavior (GR-9a — GR-9e), have the students read the case and provide a written answer for the four (4) questions at the end of the lesson. Possible answers are:

(a) She believed rights were violated. Not satisfied, so exercised another of her rights—to appeal.

(b) Decision made illegal all laws providing for compulsory Bible reading and prayer in school.

(c) American system is based upon law. Constitution is the supreme law and all else must conform to its dictates. Supreme Court is overseer of that document to decide whether lower court is counter to its meaning.

(d) Acts only on cases brought through a normal 'chain' (legal) process; decisions grounded in Constitution and precedent; decisions reached through majority vote of the nine judges; access to them is more difficult and restricted than to the other decision-makers in the government.

(3) Compile a list of situations (cases) to hand out to students. They should check the ones which may be heard on appeal to Supreme Court. Have them give a brief statement explaining why this may or may not occur.

Materials Needed: American Political Behavior (GR-9)

b. The Tinker Case (Objective 6)

Purpose: This activity has been designed to introduce the student to the Tinker case and how it is an example of protest. Emphasis will be placed on reasons for the action, consequences, and the Supreme Court decision.

Procedure:

(1) Introduce students to the concept of demonstration (What is it? What purpose does it serve?) Ask volunteers to list some examples of demonstrations. Write examples on board. Ask volunteers to differentiate between peaceful demonstrations and violent demonstrations. You may wish to divide the examples on the board into the appropriate categories.

(2) Tell students: The Vietnam War stimulated demonstrations all over the country, particularly among college students. However, there is an example of a peaceful demonstration against the Vietnam War by high school students. A group of students in Des Moines, Iowa were suspended for demonstrating their beliefs. The Supreme Court's interpretation of this situation affected every school and student in the country. This case, "Tinker vs. Des Moines," will be our topic of discussion today.

(3) Show the filmstrip: At Issue: Youth and the Constitution; Part I: "Students in Court."

(4) Debrief filmstrip by using GR-10 to stimulate a discussion.

Variations:

(1) Explanations of the case in printed form may be found in:
(a) Great Cases of the Supreme Court: pp. 34-35
(b) Dissent and Protest (AEP): pp. 18-21
Teacher may wish to use one of these readings instead of the filmstrip. Discussion questions are included in the page numbers listed.

(2) After an explanation of the Tinker case, play the tape from <u>At Issue: Youth and the Constitution</u>: Part IV: "Teacher's Rights: The Case of Charles James." The cassette tape explores the legal suit of a teacher who lost his job for wearing a black armband to protest the Vietnam War. Also includes the social, economic, and emotional ramifications of his struggle.

(3) Do an analysis of the Tinker case by implementing GR-11 — GR-14.

(4) Another prominent and recent case which was appealed to the Supreme Court involved Muhammad Ali. The film "The Law and The People," (F15P) is available in the Resource Center. See GR-15 as a possible guide.

Materials Needed:

1. <u>At Issue: Youth and the Constitution</u>. K-643. Part I: "Students in Court" and Part IV: "Teacher's Rights: The Case of Charles James." (Available at County Resource Center.)

2. <u>Great Cases of the Supreme Court</u>

3. (AEP) <u>Dissent and Protest</u>

4. GR-10 — GR-15

B. Evaluation:

1. Protest and the Constitution

Hand out copies of GR-16. Have students place a <u>DP</u> in front of the item if they think the action is <u>definitely protected</u> by the Constitution. Place a <u>NP</u> in the blank if they think the action is <u>not protected</u> by the Constitution. Allow time for student to complete this part of the activity. Then:

(a) Break students into small groups to compare and contrast their answers.

(b) Assign each group X number of items from the list and ask students to list why Ray would or would not be protected. Also have them list what additional facts are needed to make an accurate decision. Inform students that they may rely on the examples of Constitutional interpretation that they learned in Unit I as well as the Constitution itself.

2. Tinker Decision

Hand out copies of GR-16: Does the Tinker Case apply? Follow directions given.

3. Methods of Protest

Implement the "Action Project" on pp. 20-21 in Politics and People, Scholastic publications.

4. Methods and Effectiveness of Dissent and Protest

Any of the following readings may be used to evaluate the students' understanding of dissent and protest. All are taken from Penton: Comparative Political Systems. All include evaluation questions at the beginning of the reading.
(a) "The Teach-in--New Forum for Reasons" pp. 308-311
(b) "Four Ways to Go: Tommy Rodd went to Jail" pp. 324-330

5. Administer GR-18: "To Strike or Not to Strike: That is the Question!" Follow directions given.

F. Resources

I. Teacher Resources

1. Stine, Jane and Robert. Shipwreck and Other Government Games. Scholastic Magazines, Inc., 1974.

II. Student Resources

1. Any major newspaper

2. Penton, Edwin (ed.). Comparative Political Systems. Holt, Rinehardt, and Winston, Inc., 1973.

3. Jantzen, Steven. Politics and People. Scholastic Book Services, 1977.

4. Jantzen, Steven and Carolyn Jackson. Foundations of Our Government. Scholastic Magazines, Inc., 1977.

5. Marts, Carlton S. Freedom of Expression. Benziger, Bruce and Glencoe, Inc., 1977.

6. Mahlinger, Howard D. and John J. Patrick. American Political Behavior. Ginn and Company, 1972.

7. O'Donnell, James J. (ed.). Dissent and Protest. American Education Publications, 1967.

8. Pearson, Craig (ed.). Community Change. American Education Publications, 1970.

9. Pearson, Craig (ed.). Municipal Politics. American Education Publications, 1967.

10. Quigley, Charles N. and Richard P. Longaker. Voices for Justice. Boston: Ginn and Company, 1970.

11. Ratcliffe, Robert H. (ed.). Crimes and Justice. Boston: Houghton Mifflin Co., 1974.

III. Available Materials: all available at County Resource Center.

1. Motion Pictures

(a) F-15F: The Law and the People
(b) F-25F: Black View on Race: H. Rap Brown
(c) F-27F: Black View on Race: Jim Brown
(d) F-28F: Black View on Race: Stokely Carmichael
(e) F-33F: Black View on Race: Martin Luther King
(f) F-38F: Black View on Race: Bobby Seale
(g) F-74D: Martin Luther King: I Have a Dream . . .
(h) F-265A: Is it Always Right to be Right?

2. Filmstrip Kits

(a) K-158: Civil Disobedience
(b) K-241: Martin Luther King, Jr.
(c) K-643: At Issue: Youth and the Constitution

## II. The Judicial Branch of Government

### A. Key Question:

How do decisions made by the courts affect our lives?

### B. Purpose:

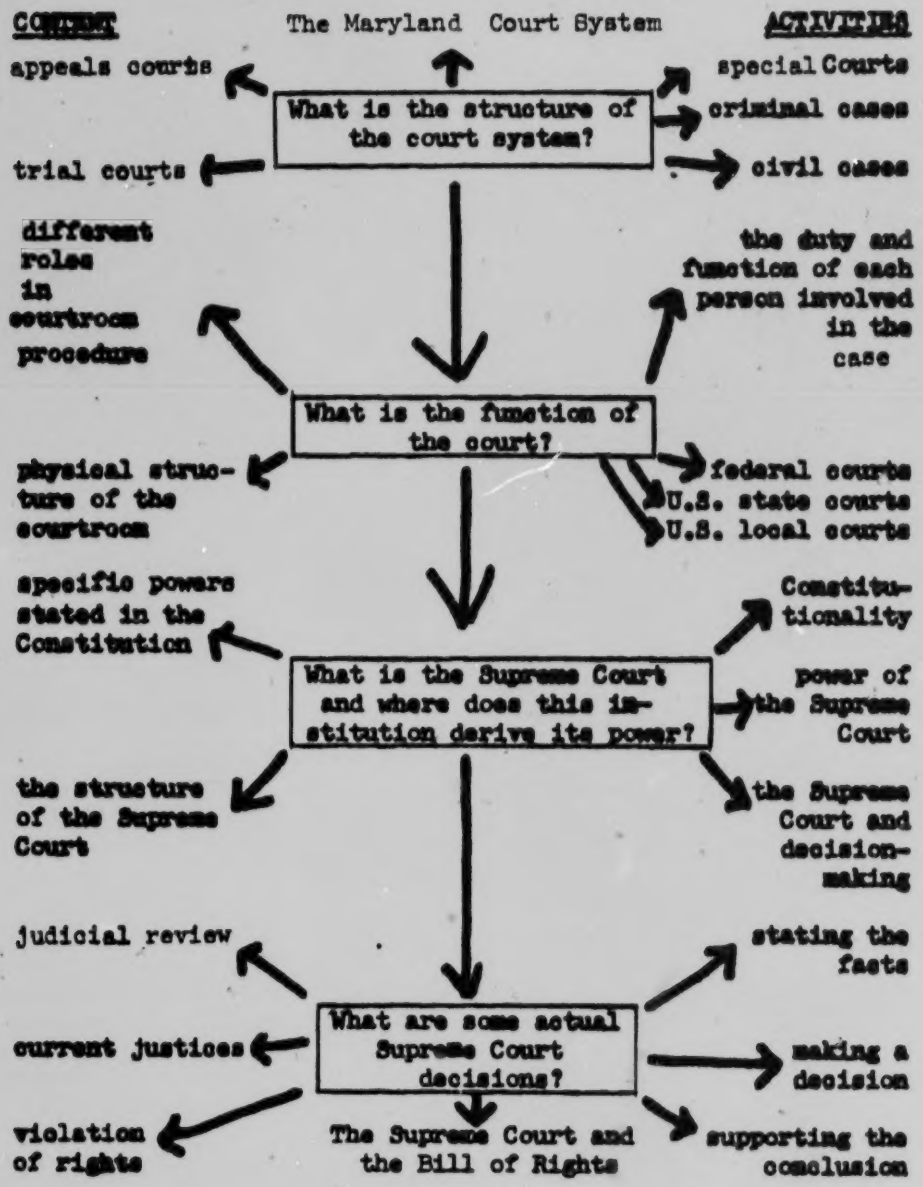
Many people view the courts as merely places where criminals go to be sentenced to jail. The purpose of this experience is to view the structure of the state and federal court system in order to explain the function of these courts. Pupils will recognize how the decisions are made, and most importantly, how these decisions affect their lives.

### C. Major Objectives:

The student will examine the judicial branch of government in order to generalize about how their lives have been affected by decisions of the courts.

1. Given information pertaining to court structure, the student will recognize the organization on a state and local level.
2. After participating in a mock trial, the student will be able to explain court proceedings and functions.
3. The student will contrast the structure of the court system on local, state and national levels.
4. Through examination of appropriate sections of the United States Constitution, the student will identify the powers of the Supreme Court.
5. Given a series of Supreme Court cases, the student will identify the facts of the case in order to formulate his own opinion which will be compared with the actual decision of the Supreme Court.
6. The student will discuss the process of selecting Judges and generalize about the current Supreme Court roster.

## Teacher Overview of the Judicial Branch


CONTENT
The Maryland Court System
ACTIVITIES
appeals courts
trial courts
What is the structure of the court system?
special Courts
criminal cases
civil cases
different roles in courtroom procedure
What is the function of the court?
the duty and function of each person involved in the case
physical structure of the courtroom
federal courts
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specific powers stated in the Constitution
What is the Supreme Court and where does this institution derive its power?
Constitutionality
power of the Supreme Court
the structure of the Supreme Court
the Supreme Court and decision-making
judicial review
What are some actual Supreme Court decisions?
stating the facts
current justices
making a decision
violation of rights
The Supreme Court and the Bill of Rights
supporting the conclusion

D. Suggested Activities

1. What is the organization of the Maryland court system?

Chart of court structure (Objective 1)

Purpose: This activity will provide the students with information regarding the court structure on the state level. It is important to emphasize that the so-called "local" courts are a part of the state system, although they have a local flavor.

Procedure:

(1) Review the steps involved in the Madalyn Murray case. (Refer to the Resource Sheet (GR-9a). Bring out the fact that a local case may, by moving through the state court system, affect the entire nation when it reaches the U.S. Supreme Court.

(2) At this point, use the chart to describe the court system of Maryland. (GR-19). [For further information regarding the court system refer to Teacher Resource GR-20. This may help you explain the structure of the courts]

(3) To reinforce the court system concept, use a hypothetical case or one that is in the newspaper. Take it through all the steps of the court system chart.

NOTE: To bring the court system closer to the student, point out the following local facts:

(a) On a district court level, Carroll County is in District 10 with Howard County. We have two judges to hear all the cases.

(b) On the circuit court level Carroll County is in the 5th Judicial Circuit with Anne Arundel and Howard Counties. We have nine judges on that level to hear cases.

(4) As a summary, scramble the order of the courts on the board and have students put them in the right order. Also you could give pupils a blank chart and have them fill it in.

Materials Needed: Class copies of GR-19
Teacher copy of GR-20

2. What are the functions of a court, and what are the steps in the trial procedure?

Mock Trial (Objective 2)

Purpose: The students will be able to recognize the different roles involved in a court room procedure while also participating in the process of presenting and weighing evidence. This is an excellent opportunity to involve community resource persons and heighten student involvement.

**Procedure:**

(1) Contact a local attorney (Community Involvement in Law Education, pp. 18-19) for assistance in setting up the trial. If he is available to do so, it is recommended that he be the judge. If no attorney is available, you should designate a student to assume this role.

(2) Either on a handout or on the chalkboard, show the physical layout of a court room. (Great Cases of the Supreme Court, p. 112).

(3) Spend time explaining the specific activity of each person involved. Designate students to fill the roles of each participant in the mock trial proceedings. Classify the function of the court in a trial.

(4) Make available an existing case which you select from an available source. (Liberty Under Law, Vital Issues of the Constitution).

Caution: DO NOT allow them to look at the decision beforehand, as it is set forth in the readings.

Refer to a fabricate case in place of existing ones. Allow time for students to carefully prepare their roles. This phase of the preparation is crucial in terms of the outcome of the case. It is very helpful for those playing the role of lawyer to have legal advice on questioning strategies, analyzing the facts of the case, and guidelines for making objections. Also, insure that those students portraying witnesses are perfectly clear on the facts of the case and their involvement in it. They must adhere to the guidelines of their role profile. Otherwise, the trial will develop into an ad-libbing contest.

NOTE: If your group cannot function well at this stage of the trial, provide an alternative as found in Great Cases of the Supreme Court, pp. 117-123.

(5) A follow-up evaluation type activity for this would be to have the students fill-in a sheet that would locate all of the participants in their proper place, and briefly define their roles. They might also outline the steps in a mock trial.

**Variations:**

(1) If you are unable to stage a mock trial, several activities are available that will accomplish Objective 2. Two activities may be found in Crime and Justice, pages 74-77. Both involve simplified court proceedings and provide basic roles for students to protray. A flexible process that you might also consider is "Adversary," found in Involvement: A Practical Handbook for Teachers. This involves all students playing the role of either judge, defense attorney, or prosecutor. They argue the case and decide it. Also a fieldtrip to a local court may be worth consideration.

(2) Any of the following may be used as variations of this activity:

1 — State and Local Government: Chapter 7: "Judges and Juries," pp. 103-115.

2 — K-615: "The Criminal Court"

3 — K-620: "Our Courts: The Cost of Justice"

3. How do the federal courts compare with the state courts?

a. Comparing the structure of the federal courts to the local and state courts (Objective 3, average ability)

**Purpose:** Having had an exposure to local and state court structure and experience with court procedures, this activity ties in the federal court system structure and offers a comparison with the state courts.

**Procedure:**

(1) Motivation: Make the statement that there are 51 separate court systems in the United States. See if anyone knows that there is one for each state and one federal. We will deal with two, state and federal, in order to compare them.

(2) Review: Ask the students to describe the structure of the Maryland courts and draw the basic four block diagram on the board or on overhead transparency.

(3) Ask the students if they are aware of any other courts that exist. They will probably suggest the Supreme Court as an example. Start a separate block diagram for the federal courts with the Supreme Court at the top. Expand the chart to include the other two levels of courts or use GR-21 on an overhead transparency.

NOTE: GR-19 from activity 1 may be used as an over-lay to compare state and federal courts.

Refer to GR-22, a teacher resource for further information on the federal court.

(4) To reinforce the concept of a dual court system, have the students read pages 161-167 in The Presidency, Congress and the Supreme Court. This reading classifies the question of federal court jurisdiction takes a case through District Court, and expands on the structure of the federal courts.

Vocabulary words:

judiciary
jury
U.S. Code
larceny
offense
grand jury
district attorney
indicted
parole
appeal
plaintiff
defendant

Refer to pages 49-51 in the Teaching Guide for suggestions.

Variations:

(1) A true-false evaluation is provided on page 168 as well as a sentencing activity on page 170.

(2) Illustration of additional legal terms:
(a) T-321: "Due Process of the Law"
(b) T-301: "Habeus Corpus"
(c) K-538: "Juris" simulation

b. Comparing federal courts with state courts (Objective 3, Higher ability)

Purpose: This activity is designed for the higher ability student and focuses on the federal courts in comparison with the state court system.

Procedure:

(1) Motivation: Tell the class that there are 51 court systems in this country. Ask them what they are:

ANSWER: fifty state court systems, one federal court system.

We will study two, Maryland and the federal system.

(2) Review: Have the class outline the structure of the Maryland Court system. Put a chart similar to GR-19 on the board or overhead. Ask them if they are aware of any other courts. Probable answer: Supreme Court. Start a chart similar to GR-21 on the board or overhead.

(3) Have the students read pages 475-479 in Practical Politics and Government.

Vocabulary Words:

jurisdiction
concurrent jurisdiction
original jurisdiction
appellate jurisdiction
trial court
appeals court
judicial review
docket

(4) Review the reading, focusing on the similarities of the two court systems and their component parts.

(5) Evaluation. Use GR-23 as a review/evaluation tool.

Answers

1. Federal
2. Federal
3. Both
4. State
5. Federal
6. Federal
7. State
8. Both
9. State
10. Federal

Materials Needed: Practical Politics and Government; GR 19, 20, 21, 22, 23.

4. What powers does the Constitution give the Supreme Court?

**Purpose:** This activity will show students that the judicial branch of government gets its power from the Constitution. As the book of rules for our system, the Constitution explains how the highest court in our land is set up and operated.

**Procedure:**

(1) A copy of, or appropriate excerpts from, the Constitution is needed for this activity. Two good sources are Fenton's Comparative Political Systems and Madden's Practical Politics and Government.

(2) Students should be directed to Article VI, Section 2 of the Constitution to see that this document is supreme in our system.

(3) Have students peruse the document and list sections which deal with the judicial branch of government.

(4) Have them take notes indicating exactly what the Supreme Court can do.

**Variation:**

(1) Make up a fill-in-the-blank type worksheet that uses phrases from the Constitution. This may be more successful for reluctant readers. "The Supreme Court—Interpreter or Lawmaker," a student resource kit by Multi-Media, would be appropriate for more advanced students.

(2) Any of the following may be used to concentrate on various aspects of the Supreme Court and court Procedure:

(a) F-550: "The Constitution," part 3
(b) T-306: "On Trial," part 1
(c) T-305: "On Trial," part 2
(d) F-93C: "The Supreme Court"
(e) T-613: "The Supreme Court at Work"
(f) T-612: "The Supreme Court in American Life"
(g) T-614: "The Supreme Court of the U.S."
(h) T-614: "Exploring Limits of the Law"
(i) The Presidency, Congress and the Supreme Court
Chapter 15: "The Nine Most Powerful Judges," pp. 173-185

(j) Practical Politics and Government:

"The Law": pp. 464-47.
"The Constitution and Judicial Branch," pp. 471-491.
"The Role of the Supreme Court," pp. 491-493.
"The Supreme Court: A Case Study," pp. 495-502.
Activities concerning legal argument may be found on pp. 503-515.

5. How does the Supreme Court make decisions? (Objective 5)

A. Purpose: This activity puts the students in the actual role of a Supreme Court Justice. He/she will have the opportunity to make a decision concerning a real case and then compare the decision to the Supreme's Court.

Procedure:

(1) Motivation: Ask the students how many of them would like to have a job with a $63,000 salary. Tell them that they all will have a chance at that job; a Supreme Court Justice. Provide copies of GR-24 for each student.

(2) Have students carefully read over the amendments which appear on GR-25. As they read them, students should write a brief note next to each indicating what rights the amendment deals with.

(3) Inform the students that they will play the role of Supreme Court Justices and decide actual cases. After reading a case from the handouts, they must:

(a) Identify the amendment which is dealt with.
(b) Decide whether there was a violation of a right.
(c) Explain their decision.

This should be completed in written form so the student is ready to defend her views during the class discussion.

(4) Bring the class together and have the students vote yes or no on each case as to whether a constitutional right was violated. Post results on the board.

(5) Go back over the cases and allow students to present their positions. At an appropriate time, indicate what the Supreme Court actually decided. This information is found in GR-26, a Teacher Resource.

(6) Students who reached a different decision than the Court should try to explain why the Justices made the decision they did.

(7) Throughout the discussions, these concepts from the previous activity should be stressed:
   (a) These cases were not typical adversary proceedings. There were no witnesses. Guilt or innocence was not established.
   (b) The Supreme Court's function in each case was to interpret the law... to apply the Constitution to real cases.
   (c) Cases 2, 4, 8, 9, and 10 deal specifically with the concept of Judicial Review. Students must be aware of what they have really done in these cases.

(8) Conclude by having the students evaluate their own performance as justices and consider whether or not they "earned their pay."

**Variations:**

(1) It is suggested that students:

   (a) complete only 5 or 6 of the case studies of their choosing.
   (b) must complete 2 of the cases dealing with judicial reviews.

(2) If this activity is appealing to the teacher, but not the cases included, the following two resources have additional actual cases and outcomes:

   (a) Practical Politics and Government, Madden.
   (b) Great Cases of the Supreme Court, Houghton, Mifflin.

(3) Also consider inviting a local attorney into class to deal with the issues of Constitutional law. The attorney could participate in the debriefing of each of the ten cases or present a separate lesson. See Community Involvement in Law Education for the names of attorneys willing to deal with Constitutional law in the classroom.

b. Role play (Objective 5)

Purpose: This activity will allow the students to role play Supreme Court Justices in order to understand how they reach their decisions.

Procedure:

(1) Review with the class the differences between a trial on the lower court level and the Supreme Court of the U.S. level.

(2) In order to reinforce these differences, refer to the Teacher's Guide of Presidency, Congress and the Supreme Court, p. 53. This contains all the instruction necessary to complete this activity.

(3) As an evaluation, have students compare the Supreme Court proceedings with those of lower court cases, noting similarities and differences.

Materials needed: Scholastic, The Presidency, Congress and the Supreme Court, Teacher's Guide.

6. How are judges selected and who is currently serving on the Supreme Court?

a. Judge selection (Objective 6)

Purpose: The student will analyze the process used in selecting Judges and consider the strengths and weaknesses of this method.

Procedure:

(1) Pose the question "Can anyone explain how a person becomes a Judge?" List the responses on the board.

(2) Ask the following questions:

a) Who is Chief Justice of Supreme Court? (Burger)
b) How many justices are on Supreme bench? (9)
c) How old do you have to be to become a justice? (35)
d) Are judges ever elected? (Yes; example: Circuit Court of Md. elected, District appointed)
e) Are judges ever women? (Yes)
f) Which Judges, Supreme Court or District, would be appointed by the President of the U.S.? (all federal courts)

Go over their responses and use "2f" as a stepping off point to inquire how the appointments process has potential for both good and bad.

Raise the question of "What is court packing?" Assign pages 528-531 in Practical Politics and Government In U.S., Madden, 1976, or use available resources on the topic of FDR's Court Packing attempt.

(3) De-brief by discussing the hazards found in this method and solicit their alternatives to appointing. Someone will volunteer 'election' as an alternative (If not you will!). From this, you will be able to suggest the limited knowledge of Constitutional law which the electorate possesses as a hindrance to electing qualified Judges. Introduce the right of the President to make these appointments. Assign p. 179 of The Presidency, Congress, and the Supreme Court (Scholastic). Conclude with a look at Article II, Sect. 2 paragraph 2, of the U.S. Constitution for an understanding of the authority for these choices.

Materials needed: Practical Politics and Government
The Presidency, Congress and the Supreme Court.

b. The Present Supreme Court Justices (Objective 6)

Purpose: This activity will acquaint students with the nine most powerful judges in our land.

Procedure:

(1) Ask the students to write down any descriptive phrases they can think of about the Supreme Court Justices.

(2) If they are unclear what to write, ask them:
(a) How many are there?
(b) How old are they?
(c) Are there any women or blacks?
(d) How long have they been on the court?

(3) Try to locate a picture of the current judges. Have the class react to it.

(4) Hand out GR-27. Analysis questions appear on the handout.

E. Evaluation:

1. Criminal and Civil Cases
Administer GR-28. Follow directions given. Teacher answer key has been provided. (GR-29)

2. Trial Procedure
Administer GR-30. Follow directions given. Answers should be based on amount of detail presented in class.

3. Supreme Court
Administer GR-31. Follow directions given. A student answer sheet is provided (GR-32) as is a teacher's answer key (GR-33).

F. Resources

1. Teacher Resources
a. Vetter, Donald P. and Gerard W. Paradis. Involvement: A Practical Handbook for Teachers. Maryland State Bar Association, July 1976.

b. Vetter, Donald P. Community Involvement in Law Education. Carroll County Public Schools, January 1977.

2. Student Resources
a. Jantsen, Steven. The Presidency, Congress, and the Supreme Court. Scholastic Magazines, Inc., 1977.

b. Jantsen, Steven. State and Local Government. Scholastic Magazines, Inc., 1977.

c. Madden, John R. Practical Politics and Government. Macmillan Publishing Co., 1976.

d. Peasom, Craig. Liberty Under Law. American Education Publications, 1963.

e. Ratcliffe, Robert H. (ed). Crimes and Justice. Houghton Mifflin Co., 1974.

f. Ratcliffe, Robert H. (ed.). Vital Issues of the Constitution. Houghton Mifflin Co., 1975.

3. Audio-Visual Materials

a. Motions Pictures
(1) F-93C: "The Supreme Court"
(2) F-55D: "The Constitution," part 3

b. Kits
(1) K-538: "Juris"
(2) K-613: "Exploring Limits of the Law"
(3) K-615: "The Criminal Court"
(4) K-620: "Our Courts: The Cost of Justice"

e. Tapes

(1) T-301: "Habeus Corpus"
(2) T-306: "On Trial," part 1
(3) T-305: "On Trial," part 2
(4) T-321: "Due Process of the Law"
(5) T-612: "The Supreme Court in American Life"
(6) T-613: "The Supreme Court at Work"
(7) T-614: "The Supreme Court of the U.S."

**Experience III: The Legislative Branch of Government**

A. Key Question:

What forces affect the legislative decision-making process? How?

B. Purpose:

Many people view law simply as the product. For example, one law says pay taxes; another says the speed limit is 55; other laws control what food and clothing labels must say. While most of these people are certainly aware of the importance and impact of law on our lives, they overlook an important facet of law: The process by which it is made and the forces affecting the lawmaking process. This experience is designed to introduce you to the <u>why</u> and <u>how</u> of lawmaking at the federal and state levels.

C. Objectives

The student will examine the legislative branch of government in order to trace the process of decisionmaking and identify the forces affecting the process.

1. The student will identify the influence of the constituents and the need for compromise in the legislative process.

2. Through an examination of appropriate parts of the U. S. Constitution, the student will identify the division of power between the state governments and the federal government and analyze the reasons for this division of power.

3. The student will list the steps necessary for a bill to become a law.

4. Through participation in a simulation of the legislative decision-making process, the student will:

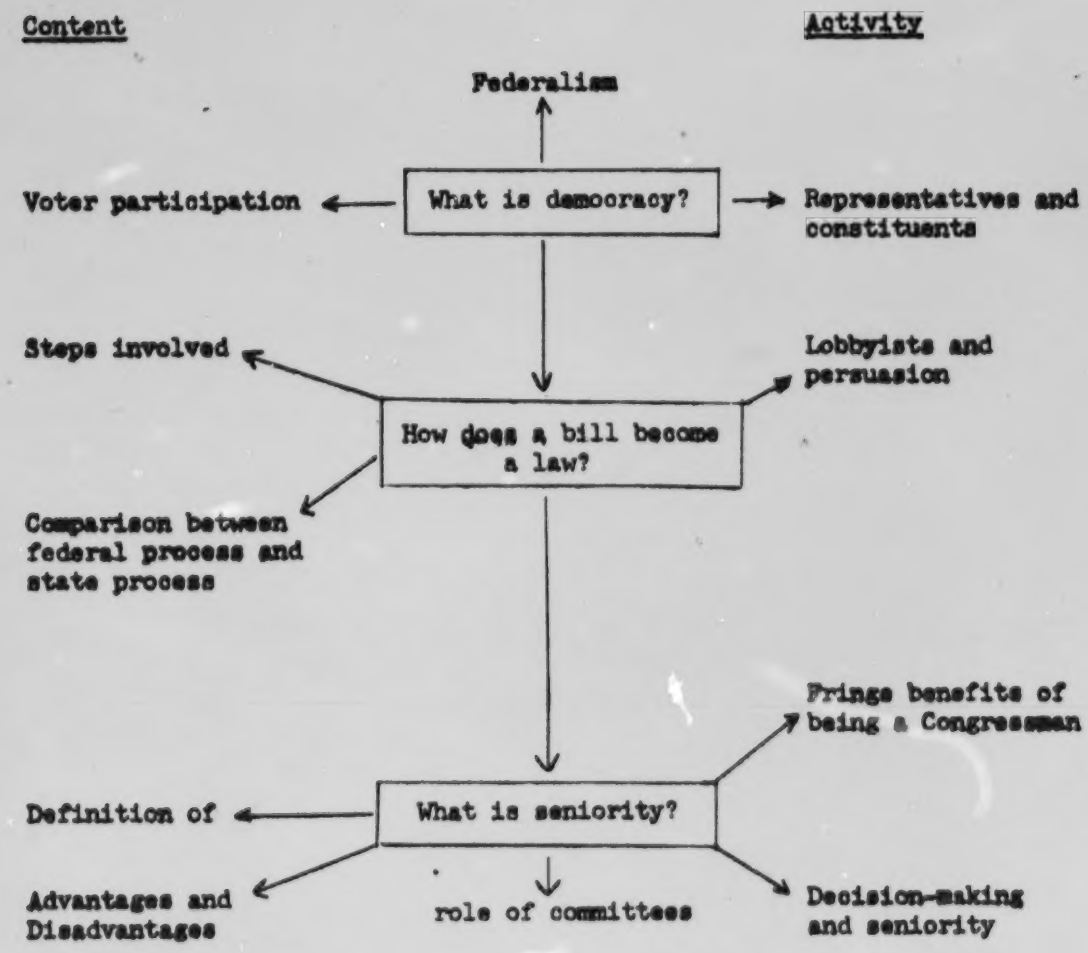
   a. Generalize about the complexity of the lawmaking process in a democratic society.

   b. Identify influences that a local legislator must consider when reaching a legislative decision.

   c. Infer the advantages and disadvantages of lobbying.

5. The student will list fringe benefits or "perks" available to Congressmen and examine the effects of the seniority system on the legislative process.

Teacher Overview of the Legislative Branch



D. Suggested Activities

1. How do the constituents and the need to compromise influence lawmakers?

Game of Democracy (Objective 1)

Purpose: This simulation brings out the importance of two main factors in the legislative process, compromise and constituency.

Procedure:

(1) In the Game of Democracy simulation kit, use "Legislative Game I." This role-playing situation makes the student a legislator who must satisfy his constituency and be able to make compromises in order to win the game.

(2) During the game it is most helpful to students to place on the board:
(a) the options open to him when it's his time to make a motion.
(b) the options open to him when it's time to vote on the issues.

(3) Suggested debrief questions are found on GR-34.

Variations:

(1) Readings which illustrate the concept of Democracy can be found in:
(a) Foundations of Our Government. Chapter 3: "The Democratic Idea," pp. 41-51.
(b) Politics and People. Chapter 5: "What kind of Citizen are You?" pp. 85-99.
(c) USA Government. p. 188: "Critique of Democracy", p. 189: "Defense of Democracy"

(2) Use the kit - "What You Should Know About Democracy and Why", K-30, Resource Center

(3) What influences a Congressman's decision?
(a) Objective: The student should be able to explain a number of the influences which affect a Congressman's decision on legislation.
(b) Suggestions: Using students or a number of different teachers, tape (Mehlinger, pp. 351) the story of Sen. Richard William's struggle to decide how to vote on the Diego Resolution. The story lends

itself to portrayal without much re-writing. Stop the tape, when playing it for the class, at the four points indicated in the script. At each stop, ask the class to write how they would vote and what things or people had influenced their decision. Make a transparency of GR-35. It provides a format for student responses at each break in the tape.

At the conclusion of the tape, students should have an idea of the number of different influences which pressure a Congressman as he/she makes a decision.

(c) Resources
Mehlinger/Patrick, American Political Behavior, Ginn, 1972, pp. 351-357.
Transparency - "You Are In The Shoes Of Senator Williams" - GR-35

2. How and why are powers divided between the state and federal governments?

Federalism (Objective 2)

Purpose: This activity is designed to show students that governmental power in our country is divided between the state and federal levels and provides opportunity for analysis.

Procedure:

(1) Motivation: Ask the class to quickly list twenty laws of which they are aware. Write them on the chalkboard. Categorize each as being either federal, state, local, or a combination. Next, suggest that having only one "level" of laws would be much more practical. Ask them which levels of law they would eliminate, federal, state, or local, and why. Gradually, try to bring out the point that there is a need for a heirarchy of laws and a need for division of power.

(2) Next, inform the class that in our earlier history, our country operated under the Articles of Confederation, which gave most of the power to the state governments. Have them imagine what life would be like today if:
(a) the federal government could only ask the states for tax money.

(b) the state governments could decide whether they wanted to obey certain federal laws or not.
(c) each state had its own army.
(d) each state decided what its citizens rights were.
Note: A powerful way to reinforce this is to write optional beside each federal law on the list of twenty.

(3) Introduce "federalism" as the remedy applied to the ailing Articles by the Constitution. Provide copies of the Constitution and GR-36 for the students to complete.

Variation:

Supplementary Readings to expand historical perspective may be found in the following:
Foundations of our Government:
(1) Chapter 5: "The Founding Fathers Disagree", pp. 71-85.
(2) Chapter 6: "Compromise and the Constitution", pp. 87-99.

Materials: GR-36 and copies of the Constitution

3. What steps must a bill go through to become a law in Maryland?

How a bill becomes a law. (Objective 3)

Purpose: This activity will acquaint students with the steps of the lawmaking process. It is modeled after the state process so as to provide continuity with the simulation in this experience.

Procedure:

(1) The step by step procedure can be found in Maryland, State and Government by H. Bard or the film, "How a Bill Becomes a Law", (F94C), which is available from the Resource Center. GR-37, 38, 39 illustrate the basic steps.

(2) Divide the class into groups of four. Give each group an envelope with the nine steps of the lawmaking process, each on a separate slip. Their task is to properly sequence the steps from memory.

(3) Conclude by asking the class to generalize about the federal lawmaking process and its similarities and differences. Then ask the

students who makes the laws for Carroll County. Explain to them the process by which local legislators request the General Assembly to pass bills, and how the Commissioners have some limited legislative power.

Variations:

(1) Step 3 provides an opportunity to investigate the "County Council" form of government.

(2) Related reading may be found in:

(a) Jantzen, Steven. The Presidency, Congress, and the Supreme Court.
Chapter 9: "An Act of Congress," pp. 105-113.
Chapter 10: "How to Judge a Bill," pp. 115-123.

(b) USA: Government, McDougall, Littell Co.
1-"Mr. Smith Goes to Washington," pp. 37-39
2-"The Senate," pp. 41-49
3-"The Smith Bill Runs the Gauntlet," pp. 51-54
4-"Behind Every Senator," pp. 55-57
5-"The Art of the Possible," pp. 57-59

4. What are the factors that are involved in the lawmaking process? (Objective 4)

The Maryland General Assembly Simulation (M.G.A.S.)

Purpose: By participating in this simulation, students will be exposed to the complexity of the lawmaking process and experience the influences that shape the lawmaking process.

Note to the teacher:

(1) This simulation has been set up to focus on one Chamber of the Md. Gen. Assembly. If you have a big class or wish to work with another teacher, you can form both Houses. Should you decide to do this, make sure both Houses are working on the same types of bills to insure continuity and consistency. This simulation is designed to show the lawmaking process of the Maryland General Assembly. While an attempt was made to keep the simulation as close to the actual process as possible, students must realize that this is an adaptation. For the sake of speed, simplicity and clarity, some procedures have been omitted. Consult Bard, Maryland State and Government or Maryland State Government for additional detail.

(2) This activity is designed for average to high ability students. You may wish to expand the simulation to include profiles on legislatures, constituency concerns, current news items, facts on our local legislatures, and discussion of our governor and his recent exposure in the media.

(3) For low ability students, a very simplified version can be adopted. See the teacher's guide of Lawmaking by Riekes-Mabe for detailed procedures.

**Procedure:**

(1) Divide the class by sex to form two "political" parties. Select four "volunteers" to take the role of lobbyists. Give them resource GR-40 so they may familiarize themselves with their role. Select one student to act as governor (You may wish to act as governor if you don't feel students are able.) The governor will be responsible for creating his own legislative package, influencing legislators, coordinating his bills through both houses and signing or vetoing legislation.

(2) The parties will now have a caucus to elect their leaders. The majority party will elect a president and/or Speaker of the House and a floor leader. The minority party will elect a floor leader. See Bard, Maryland State and Government, p. 63 or Maryland State Government, p. 39-40.

(3) While in caucus, the members will write bills pertaining to the following areas: Economic Affairs; Health, Education, and Welfare; Energy and Natural Resource Conservation; and Judiciary. Inform them that they will be writing bills for the state of Maryland. Note: Encourage parties to write a variety of bills so that each committee will have material with which to work. GR-41 may be used as an example of form. Lobbyists may enter at this point, suggest bills to caucus members, and argue their points.

(4) The majority and minority floor leaders will ask their members on what committees they would like to serve. Noting their interests, the floor leaders will take their suggestions to the presiding officer. The officer may

agree with the assignments or may rearrange the membership on the committees. He will also appoint committee chairpersons.

(5) The Presiding Officer will now call the parties together for the first reading of the bills. (They are then assigned to committee and numbered.) Be sure to run off multiple copies of the bills. If you wish to follow parliamentary procedure, distribute the guidelines on GR-42.

(6) Committees will go into session. Members will discuss the bills and then amend, pigeonhole or kill each bill. Each committee will prepare a report, either favorable or unfavorable, for each bill that they wish the entire house to consider. Lobbyists should be involved by presenting their point of view to the legislators and trying to influence them in various ways.

(7) The Presiding Officer will reconvene the chamber for the second reading of the bills. At this time, each committee's chairperson will read his group's report. The Presiding Officer will then allow the rest of the assembly to debate those bills. Debate may center on bills that receive favorable or unfavorable reports from committee.

(8) After a reasonable amount of time, the Presiding Officer will end debate. He will then read aloud the bills that have been reported on by committee and call for a vote by the members.

(9) (Note: This step will be taken if working with two classes or two Houses of the Assembly.) Form Conference Committees to compromise any differences in similar bills passed by both houses. The House and Senate must approve any bill that has been changed by the Conference Committee before it goes to the Governor.

(10) Bills then go to the Governor for his signature or veto. The Lobbyists may again enter the process and try to influence the Governor. Note: Encourage your Governor to veto one popular bill so the class may attempt to override a veto. (An override may be accomplished by a 3/5 vote of each House.)

(11) Debriefing: Upon the conclusion of this activity, it is important to focus on the following:

(a) The power and influence of the floor leaders, lobbyists, Governor

(b) The influences that the above mentioned individuals have on the fate of a bill

(c) The importance of debate in the legislative process.

(d) The power of committees with regard to writing bills, amending, pigeonholing or killing them

(e) That in reality, committees hold hearings before action on bills. Unfortunately we did not emphasize this in our simulation

(f) The importance of compromise in the legislative process from the drafting of a bill to conference committee action.

(g) Have the lobbyists report on their actions, submit their expense accounts, and decide whether or not they were re-hired.
Note: You may wish to expand this section on lobbyists to include the national level, the kinds of groups they represent and the regulations
(1) AEP, The Lobbyist is a possible source.
(2) Madden, Practical Politics in Gov't, p. 396-399.

(h) The importance of constituents on legislators. Though not brought out in the simulation, you may wish to expand upon this to include election year pressures and media.

(i) Review the override process and how it is a check on the Governor's power.

Variations:

(1) Any of the following may be used to illustrate the functions of Congress:

| | |
|---|---|
| "The Congress of the United States" | F-611 |
| "Congress Passes a Bill" | F-610 |
| "The Voices of Congress" | F-609 |
| "The Federal Lawmaking Process" | K-156 |
| "The Congress of the United States" | F-21D |

(2) A broader view of our state government is presented in the learning activity package entitled "State Government and You." This LAP and an accompanying Teacher's Guide are included in the 1974 curriculum bulletin, State and Local Government.

5. What are the fringe benefits that a Congressman has, and how does the seniority system work?

a. What are seniority and "perks"?

Purpose: Upon completion of this activity, the student will understand the benefits available to a Congressman which go beyond salary.

Procedure:

(1) Assign the following to be answered individually.
   (a) Write a definition for seniority. (Member who has served majority side of committee the longest serves as chairman.)
   (b) Write a figure which you feel represents the salary of a legislater in the U.S. Government. ($57,500)

(2) Use the discussion which follows as a means to get a clear cut definition and awareness of both A and B. Inquire as to their reactions to the dollar figure. Since they will no doubt be impressed, this then is a good point to introduce the term perks and explain its meaning (those items or activities which are available to the legislator at reduced rates or sometimes FREE - - fringe benefits). Pass out Resource Sheet GR-43 and discuss the "real" income of our legislators. The term franking may need clarification.

Variation:

Compare the fringe benefits and effects of seniority on other jobs. You could also ask the class to revise the list of perks as they thought appropriate.

Materials: Class copies of GR-43

b. How does the seniority system work?

Purpose: Students will evaluate the seniority system and conclude that their government is controlled by committees and that these committees are often controlled for long periods by the same person.

Procedure:

(1) Motivation: Put the quote "Respect your elders" on the board. Ask them to explain the reasons behind it; Then ask, "What are the reasons behind the seniority system?"

(2) Pass out Resource Sheet GR-44 and have students add to the list you placed on the board during the brainstorming session.

(3) Students should answer questions at the end of the reading and discuss them as a class.

E. Evaluation

1. Democracy - Administer GR-45. Follow directions given.

2. How a bill becomes a law - Administer GR-46. Follow directions given.

3. Lobbyists - Administer GR-47. Follow directions given.

4. Seniority - Administer GR-48. Follow directions given.

Note to the teacher: Each of the above may be used separately to evaluate a given concept. However, they may also be used at the same time as a unit test on overall content.

F. Resources

1. Student Resources


Bard, Harry. Maryland State and Government. Tidewater Publishers, 1974.

Borg, Kirsten E. A. (ed.). USA Government. McDougal, Littell, and Co., 1974.

Jantzen, Steven. Politics and People. Scholastic Magazines, Inc., 1977

Jantzen, Steven. The Presidency, Congress, and the Supreme Court. Scholastic Magazines, Inc., 1977.

Jantzen, Steven and Carolyn Jackson. Foundations of Our Government. Scholastic Magazines, Inc., 1977

Pollock, George (ed,). The Lobbyists. Xerox Education Publications, 1973.

2. Audio Visuals (Available at County Resource Center)

F-21D: "The Congress of the United States"

F-94C: "How a Bill Becomes a Law"

3. Filmstrip Kits (Available at County Resource Center)

K-30: "What You Should Know About Democracy and Why"

K-156: "The Federal Lawmaking Process"

4. Tapes (Available at County Resource Center)

T-609: "The Voices of Congress"

T-610: "Congress Passes a Bill"

T-611: "The Congress of the United States"

5. Simulations

The Game of Democracy (Available at each school), Bobbs-Merill Co., Inc., Education Division, Indiana.

6. Learning Activity Packages:

State and Local Government, Carroll County Public Schools, 1974.

"State Govenment and You" by Wayne Hughes and Herman Young.

"The County Executive Form of Government" by Deborah Mackey.

Experience IV: The Executive Branch of Government

A. Key Question:

What forces influence the executive decision-making process? How?

B. Purpose:

This experience focuses on the function of the executive branch of government on the federal, state and local levels. Students will examine influences that effect the decision-making process and compare the powers of the three branches of government. Since this is the 3rd branch to be dealt with, the concept of checks and balances will be introduced and analyzed as the stabilizing factor in our government.

C. Major Objectives:

The student will analyze the executive branch of government in order to recognize the influences affecting executive decision-making.

1. Upon examination of the U.S. Constitution, the student will identify the duties and powers delegated to the President and compare them with those of the executives on a state and local level.
2. Given several sources of information, the student will list roles and powers of the President not specifically delegated by the Constitution.
3. Upon examination of several executive decisions, students will describe key factors influencing these decisions such as constituency, public opinion, cabinet, political party, Congress and media.
4. The student will evaluate past Presidents as decision-makers in order to conclude what constitutes a "Great" President to them.
5. The student will identify the function of each branch of government and examine how the system of checks and balances operates.

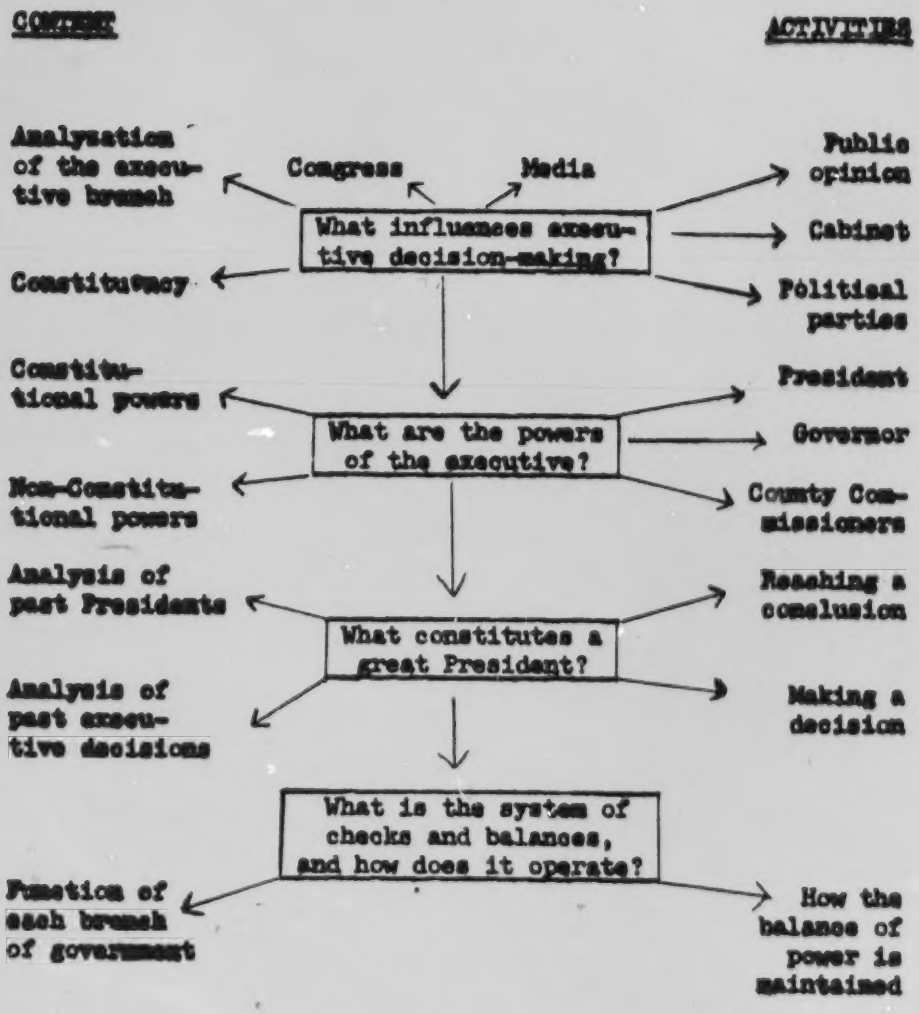
D. Suggested Activities

1. How do the powers delegated to the President in the Constitution compare with the powers of the Governor and County Commissioners?

Comparing the Powers (Objective 1)

Purpose: This activity shows students the constitutional basis for the President's power and highlights the specific duties that office is expected to perform. It provides for a comparison with the Governor and County Commissioners.

Teacher Overview of the "Executive Branch"



**Procedure:**

(1) Provide the students with a copy of the Constitution and have them locate Article 2, Sections 2 and 3. Have them peruse this document to find and list the powers and duties of the President. Specific examples are Commander-in-Chief, chief executive, chief lawmaker, chief law enforcer and chief administrator.

(2) Pass out GR-49 (Governor's Powers and Duties) and have them complete same procedure.

(3) Now distribute resource sheet GR-50 and have the students examine the local powers and duties.

(4) Lead a discussion comparing and contrasting the powers of these three levels of executives. Have the following questions considered:

(a) Are there any powers or duties that are consistent on all 3 levels?
(b) Which executive seems to have the most power at his level?
(c) Why do you think national and state descriptions are so closely designed?
(d) What seems to be the main direction of the local powers?
(e) Which of these executive levels do you think has the greatest influence on your life? Why?

**Variations:**

(1) Have the students use the newspaper to find examples of all 3 executives using their powers.

(2) Any of the following may be used to examine the office of the executive branch:
(a) T-604: "Presidential Power"
(b) T 603: "Presidents' on the Presidency"
(c) The Presidency, Congress, and the Supreme Court: Chapter 1: "The Toughest Job," pp. 9-19.
(d) Practical Politics and Government: pp. 52-58; "Local Government"

(3) You may wish to do an analysis of the executive branch of government (with an emphasis on the office rather than the individual) on all three levels. The following may be used:

(a) The Presidency, Congress, and the Supreme Court: Chapter 4: "Running the Executive Branch" pp. 43-55.

(b) State and Local Government
Chapter 1: "Decision-Makers in the State Capitol" pp. 7-23.
Chapter 2: "Decision-Makers in City-Hall" pp. 25-37.

2. What roles and powers does the President have that are not specifically delegated in the Constitution?

a. The American Presidency (Objective 2)

Purpose: This activity will show students that the Presidency has taken on several roles and jobs not specifically delegated by the Constitution.

Procedure:

(1) Quickly review the powers delegated to the President. Then ask the students if that is all he does for his $200,000 salary. Explain that over the years the Presidency has expanded its powers and roles.

(2) Show the film "The American Presidency" (F61D) available in the resource center.

(3) Ask the students to:
(a) List the six roles the President performs as pointed out by the film.
(b) Place a star next to those roles which are spelled out in the Constitution.
(c) Give an example of something a President might do when executing each role.
(d) What is the President "required" to do by law?
(e) Do you think the President's powers are "absolute?" Defend your response in two or three sentences.
(f) Give two examples of Presidents who have overstepped their boundaries.
(g) Is the President in closer contact with the people now than he was 100 years ago? Explain.

Variations:

(1) The Presidency, Congress and the Supreme Court, pages 26-27, has a chart explaining the seven roles of the President.

(2) Also, this topic provides a good opportunity to incorporate the newspaper. Students can look for examples of executives using their extra-Constitutional powers.

(3) To examine executive decision-making on a local level, implement the learning activity package entitled "The Functions of County Commissioners." It is included in the curriculum bulletin, State and Local Government, which was developed in 1974. A supportive Teacher's Guide accompanies the LAP. For your information, a LAP on "The County Executive Form of Government" is included in the same guide.

Materials needed: F-81D, "The American Presidency"
LAP: "The Functions of County Commissioners:
LAP: "The County Executive Form of Government"

b. A Typical Day for the President (Objective 2)

Purpose: This activity is designed to have the students hypothesize what the President does on a typical day and compare that with a real example.

Procedure:

(1) Ask the class to roughly calculate how many hours they "work" a day. Next ask them to guess how many hours the President might work. Put these responses on the board for future use.

(2) Divide the class into groups of 3-5 each. Hand out GR-51 and have the groups hypothesize as to the President's "typical" schedule.

(3) Hand out GR-52, "A Day in the Life of a President." Ask students:
(a) What was the most surprising thing to you about the schedule?
(b) Why do you think the visitor's name from 12:52-1:30 was withheld?
(c) There is some similarity between one of the first activities and the last. What is it? Why does a President do that?
(d) Make a list of all the activities the President did this day which fall under his constitutional roles.
(e) What activities did he perform which were not constitutionally delegated?

Variations:

(1) A similar activity may be found in American Political Behavior, pages 285-289. The students are asked to categorize each activity by Presidential role. Answers are found in the Teacher's Guide, pages 92-93.

(2) Additional sources of information on this topic are:

(a) The Presidency, Congress, and the Supreme Court
Chapter 2: "Roles of the President," pp. 21-31.

(b) USA Government:
pp. 63-70: "Roles of the President"

(c) Practical Politics and Government
1—pp. 424-425: "Changes in Article II and the President's Role"
2—pp. 430-441: "The Executive Role: The President as a Decision-Maker"

c. Requirements of the Presidency (Objective 2)

Purpose: The student should be aware that it would seem there are "unwritten rules" for being a President as well as the constitutional requirements.

Procedure:

(1) The Presidency, Congress and the Supreme Court from Scholastic, pp. 33-39, has a good activity designed to have students examine the persons we have chosen as our Presidents.

Variation:

This activity could be presented to the class by a small group. A "Presidential Profile" could be developed, either on posters or transparencies.

Materials needed: The Presidency, Congress, and the Supreme Court.

3. What factors influence the President as a decision-maker?

a. "Tough Presidential Decisions" (Objective 3)

Purpose: This activity will get students to consider the extremely tough job a President has when making important decisions.

Procedure:

(1) Ask students to list three Presidents who have had to make a really tough decision. Tell them they must be ready to explain what made the decision so difficult.

(2) In each case there were factors influencing the decision. Have the class speculate on what those

factors may have been. Some examples to focus on could be:
(a) Truman and the bomb.
(b) Nixon and resignation.
(c) Lyndon Johnson's decision not to run again.
(d) Carter and the B-1 bomber.

(3) If students don't identify all these factors, have them speculate on what influence each may have had in these decisions.
(a) Media
(b) Cabinet
(c) Congress
(d) Party
(e) Public Opinion

Variation:

(1) Allow interested students to research famous Presidential decisions in the library. Some examples are: "The Louisiana Purchase," Wilson and the League of Nations, Truman and the steel mills, The Emancipation Proclamation, Roosevelt and the Russo-Japanese war of 1905, Nixon and the invasion of Cambodia, JFK and the Bay of Pigs, and FDR and Lend-Lease.

(2) Also, factors influencing current Presidential decisions may be followed in the newspaper.

(3) You may wish to do an analysis of exactly how executive decisions are influenced by a-e listed in (3) above. The following will assist you in this task.

(a) Party Support
Practical Politics and Government, pp. 216-222.
Politics and People, pp. 25-39.

(b) The Media
Practical Politics and Government, pp. 230-245.

(c) Public Opinion:
Politics and People: pp. 117-133.

b. The Cuban Missile Crisis (Objective 3)

Purpose: The purpose of this activity is to have the student analyze all the factors involved in executive decision-making. They shall examine the "Cuban Missile Crisis" as an example of this process.

**Procedure:**

(1) Motivation: Pick a current issue about which President Carter must make a decision: for example, Panama, gas rationing and the neutron bomb. Have class guess what President Carter will decide and hypothesize about his reasons. List the forces which may influence. Save them in order to refer back to them later in the lesson.

(2) A good model of the Presidential decision-making process can be found in Voices for Justice, pp. 48-58, "A Presidential Decision: Cuban Missile Crisis." It is a role-playing situation which brings out the influence of foreign policy, constituents, Cabinet, military officials, and the press.

NOTE: This can be used for average to high ability students. All instructions and scripts are found in the text. For lower ability students, you may wish to simplify the role play.

(3) Present the class with the situation: Russia placed missiles on Cuba. Pick one person to act as President and divide the rest of the class in small groups. Assign to them a position (drop a bomb on Russia or let the missiles stay there, for example), and tell them they must justify their position and present a report to the President. After each group has finished, have the President make his decision and list the reasons why he decided as he did.

(4) Debriefing: After the role play, you should focus on the following points:
   (a) What influenced President Kennedy's decision to use a naval blockade against Cuba?
   (b) What role did Kennedy's advisors play in helping him make up his mind?
   (c) If you were Kennedy, what would you have done? Would President Carter react the same way today? Why/why not?
   (d) More questions may be found on pages 52 and 58 of Voices for Justice.

**Variations:**

(1) Examine a current issue the President faces and resolve it by using the role playing model from Voices for Justice.

(2) Other textbook sources:

(a) The Xerox (AEP) pamphlet The Presidency examines past Presidents and the decisions they made. This booklet would be good for high ability students.

(b) Scholastic, The Presidency, Congress and the Supreme Court. This text is very good for low to average ability students. Unit 1 focuses on the President. Check Teacher's Guide for ideas.

(c) Fenton, Comparative Political Systems. This text is for high ability students only.

(d) Practical Politics and Government, pp. 430-451, contains several good case studies. The introduction brings out the influences on the President from Cabinet to public opinion. The case studies are: "Kennedy and the Steel Crisis" and "Cuban Missile Crisis." Both are followed by debriefing questions. This text is designed for average to high ability students.

(3) Library Research—Have each student pick a President and prepare a report on a major decision he made during his term in office. The report should bring out the influences faced by that President. The student could discuss within the report what he/she would have done if he/she were President and why.

c. A Current Executive Decision (Objective 3)

Purpose: This activity will have students examine a current executive decision in order to identify the factors affecting the process.

Procedure:

(1) Have students identify a tough or controversial decision facing the President today.

(2) A bulletin board could be set up for a week or so with the decision spelled out.

(3) Students should display magazine and newspaper articles which either take a stand on the problem or point out influencing factors.

(4) At the end of the activity, students should evaluate:
(a) Which factors had the greatest influence?
(b) Which factors should have had the greatest influence on the decision? Why?

d. Influence of the people on a Presidential decision. (Objective 3)

Purpose: This activity will have students consider how much say the people should have in important decisions.

Procedure:

(1) Use dittoes or a transparency of GR-53. It is a hypothetical situation which enables all people in the country to simultaneously vote on an issue.

(2) Consider the pros and cons of such an "instant input" system.

4. What qualities constitute a "Great" President?

"How to Judge a President" (Objective 4)

Purpose: This activity will give students some insight into what qualities make a good President and enable them to evaluate past Presidents as decision-makers.

Procedure:

(1) Ask students to list as many of our 39 Presidents as they can in two minutes.

(2) Put a list on the board and ask:
(a) Why are men like Washington and Lincoln almost always mentioned?
(b) Why are Rutherford B. Hayes and John Tyler seldom recalled?
(c) Why do Benjamin Franklin and Alexander Hamilton usually get a vote or two?

(3) Give each student two votes to decide "The Greatest President." Ask them to list reasons for their picks.

(4) Have students read The Presidency, Congress and the Supreme Court, Scholastic, pp. 84-85, to get opinions of professional historians. Compare the historians' responses with the classes.

(5) In the same book, have students read pp. 79-83 and discuss "How to Judge a President."

(6) As a wrap-up, have the students write a future scenario on the "Greatest President Ever." Have them describe the qualities this person possesses and speculate about the great decisions that will be made during his/her administration, somewhere around 2025.

**Variations:**

(1) Some students may wish to do in-depth research on some of our greater Presidents and perhaps prepare a debate or panel discussion.

(2) The following are related aspects of the topic and may be used as such:
   (a) The Presidency, Congress, and the Supreme Court:
      Chapter 3: "Who's Qualified to be President?" pp. 33-41.
      Chapter 5: "Can a President be Too Strong?" pp. 57-65.
   (b) K-219, Presidential Candidates: Winners and Losers.

3. a. **Checks and Balances** (Objective 5)

**Purpose:** This activity provides a structured approach to dealing with the concepts of separation of power and checks and balances. It also provides a graph for the students to complete and several follow-up activities.

**Procedure:**

(1) Motivation: Tell your class the President has just issued an order that everyone will eat three peanut-butter (and no jelly) sandwiches every day for lunch for five years to help stimulate the economy and eliminate unemployment. Violators will be prosecuted and jailed. From this, discuss their reactions and introduce the concept of checks and balances. Have them hypothesize which branch of government would be able to check his order and how. (The Supreme Court might declare it unconstitutional.)

(2) Next, have the students read the introduction to the concept in Foundations of Our Government, pages 117-118. It provides an historical perspective by dealing with the concept of tyranny. Vocabulary words are: tyranny and despot. Refer to the Teaching Guide, pages 41-45 for further suggestions.

(3) Have the students read pages 118-121. This section introduces the concept of separation of power, highlights the functions of each branch of the government and explains the system of checks and balances. You may ask the class to fill out GR-54, a chart based on this reading. GR-55 is an answer key.

(4) For review and evaluation, use either the instructional game suggested on page 43 of the Teaching Guide or GR-56, a categorization task.

Answer key:

1. L
2. L
3. E or J
4. L
5. E
6. J
7. L
8. } Their own
9. } original
10. } situation

(5) Two follow-up activities are provided. One, on pages 122-123, involves role playing while the other provides a profile on Sam Ervin and "Watergate."

**Variation:**

(1) This activity may be used to introduce the concepts before dealing with "Watergate," or it could be used to clarify the concepts after dealing with Watergate.

**Materials Needed:** Foundations of our Government, and copies of GR-54 and GR-55.

b. "Watergate—an ordeal in checks and balances" (Objective 5, average and higher ability)

**Purpose:** By examining the event and the activities involving the Watergate scandal, the student will recognise how checks and balances works and understand how the situation was resolved.

**Procedure:**

(1) In a general introductory discussion, inquire what the students presently know about Watergate. From this try to find out what they know about Checks and Balances as it relates to national government. Explain that this lesson will utilise Watergate as a means to show how the government works to rectify problems and provide solutions within the system.

(2) In order to assure a uniform explanation of the matter, it is recommended that students read pages 532-539, 541 (the outcome) and the left column of 544 of Practical Politics and Government. Have the students make a list of the irregularities. Compile a separate list of the actions or agencies which served to maintain the balance over the irregularities.

(3) Have students turn to 542-543. Teacher should read aloud the opening paragraph which explains the President's expected action. Then have the students compare their lists of irregularities with those set forth by the Articles of Impeachment.

(4) Conclude the activity by personally summarizing the information set forth on 544 (the Resignation) through the top right paragraph of page 548.

(5) In order to evaluate their understanding of the concept, lead a large group discussion focusing on the specific roles performed by the executive, legislative and judicial branches in this sequence of Checks and balances. See also student resources GR-56 and GR-57 for follow-up activity.

Materials Needed: Practical Politics and Government

## E. Evaluation

Over-all content may be evaluated by administering the unit test on GR-58. See GR-59 for a student answer sheet. The teacher answer key is found below.

### Teacher Answer Key

### The Executive Branch

Part I - Multiple Choice

| | |
|---|---|
| 1. B | 9. C |
| 2. C | 10. B |
| 3. B | 11. C |
| 4. B | 12. B |
| 5. D | 13. C |
| 6. B | 14. A |
| 7. D | 15. C |
| 8. A | |

Part II - Short Answer

Teacher should base answers on the material covered in class. The resources used should be carefully considered when preparing answers.

F. Resources

1. Student Resources

(a) Jantzen, Steven. Foundations of Our Government. Scholastic Magazines, Inc., 1977.

(b) Jantzen, Steven. The Presidency, Congress, and the Supreme Court. Scholastic Magazines, Inc., 1977.

(c) Jantzen, Steven. Politics and People. Scholastic Magazines, Inc., 1977.

(d) Jantzen, Steven. State and Local Government. Scholastic Magazines, Inc., 1977.

(e) Madden, John R. Practical Politics and Government. Macmillan Publishing Co., Inc., 1976.

(f) Quigley, Charles N. and Richard P. Longaker. Voices of Justice. Ginn and Co., 1970.

(g) Any major newspaper

2. Audio-Visual Materials (all available at County Resource Center)

(a) Motion Pictures
F-81D: "The Presidency"

(b) Tapes
(1) T-603: "Presidents on the Presidency"
(2) T-604: "Presidential Power"

3. Learning Activity Packages: State and Local Government, Carroll County Public Schools, 1974.

(a) "The Functions of County Commissioners"

(b) "The County Executive Form of Government"

(c) "State Government and You"

Experience V: Political Involvement

A. Key Question:

How can the individual citizen effectively influence the political decision-making process?

B. Purpose:

After examining the functions of the branches of government, the decision-making process and the value of dissent, it is important to conclude the unit by considering the role that the individual can play in the political process. This experience is designed to provide the students with a working knowledge of our political process, the factors influencing voter behavior and the importance of individual and group participation.

C. Objectives:

Given the opportunity to vote in a simulated election, the student will justify his/her decision based on an analysis of the political process and a recognition of the factors affecting voter behavior.

1. The student will examine information pertaining to the electoral college in order to determine its function and will evaluate its role in the election process.

2. Given information on political parties, the student will identify their functions, analyze the differences between the two major parties and describe the means by which candidates are chosen.

3. The student will examine a variety of campaign strategies and influences on the voter and assess the effectiveness of each.

4. The student will participate in the steps of the election process, specifically:
   (a) Forming a political party
   (b) Writing a platform
   (c) Conducting a campaign
   (d) Registering
   (e) Voting
   (f) Analyzing the results of the election

5. Given appropriate data, the student will analyze patterns in voter behavior.

6. Given information, the student will examine the influences of interest groups and bureaucrats on the political system.

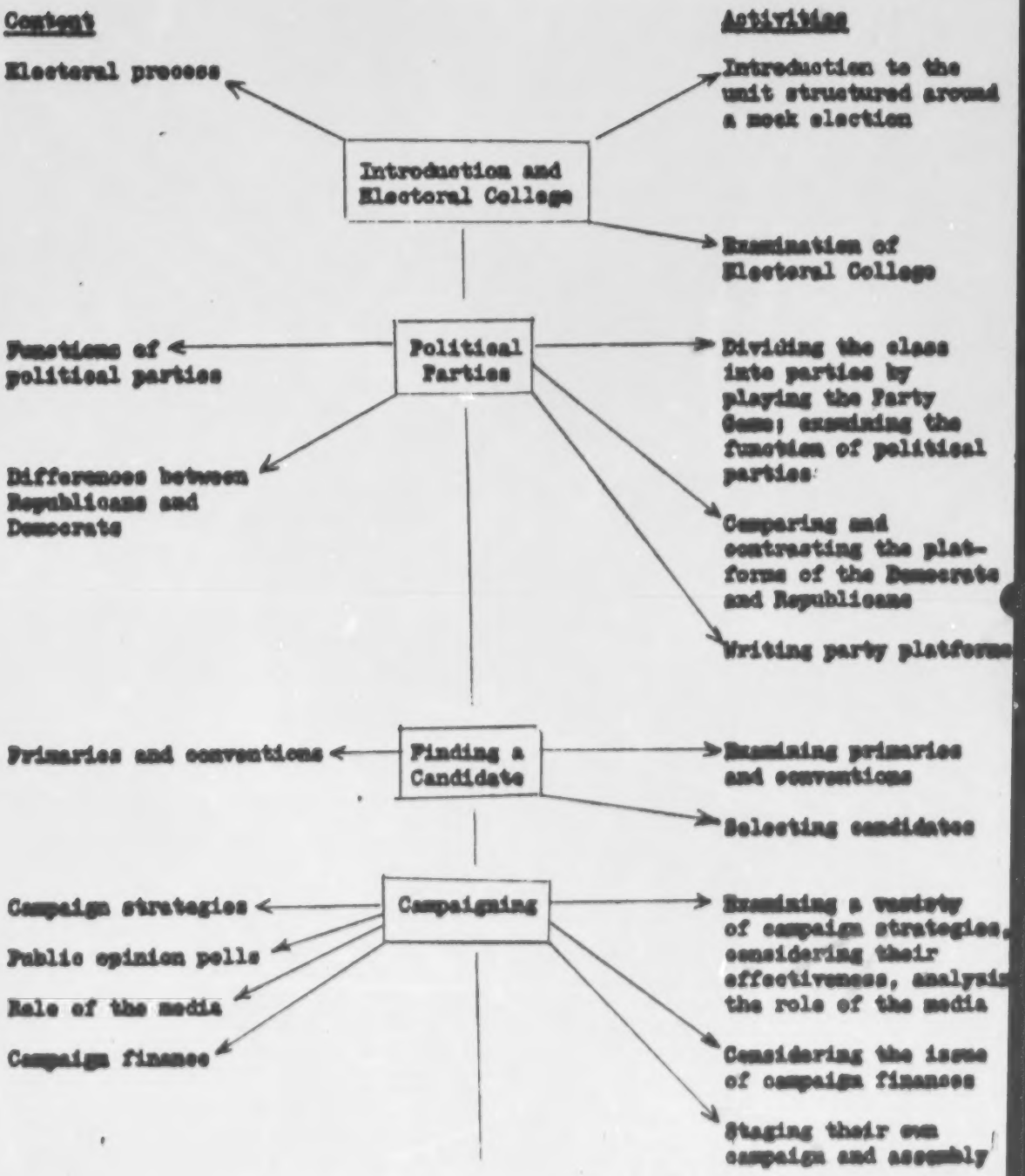
## NOTE TO TEACHER

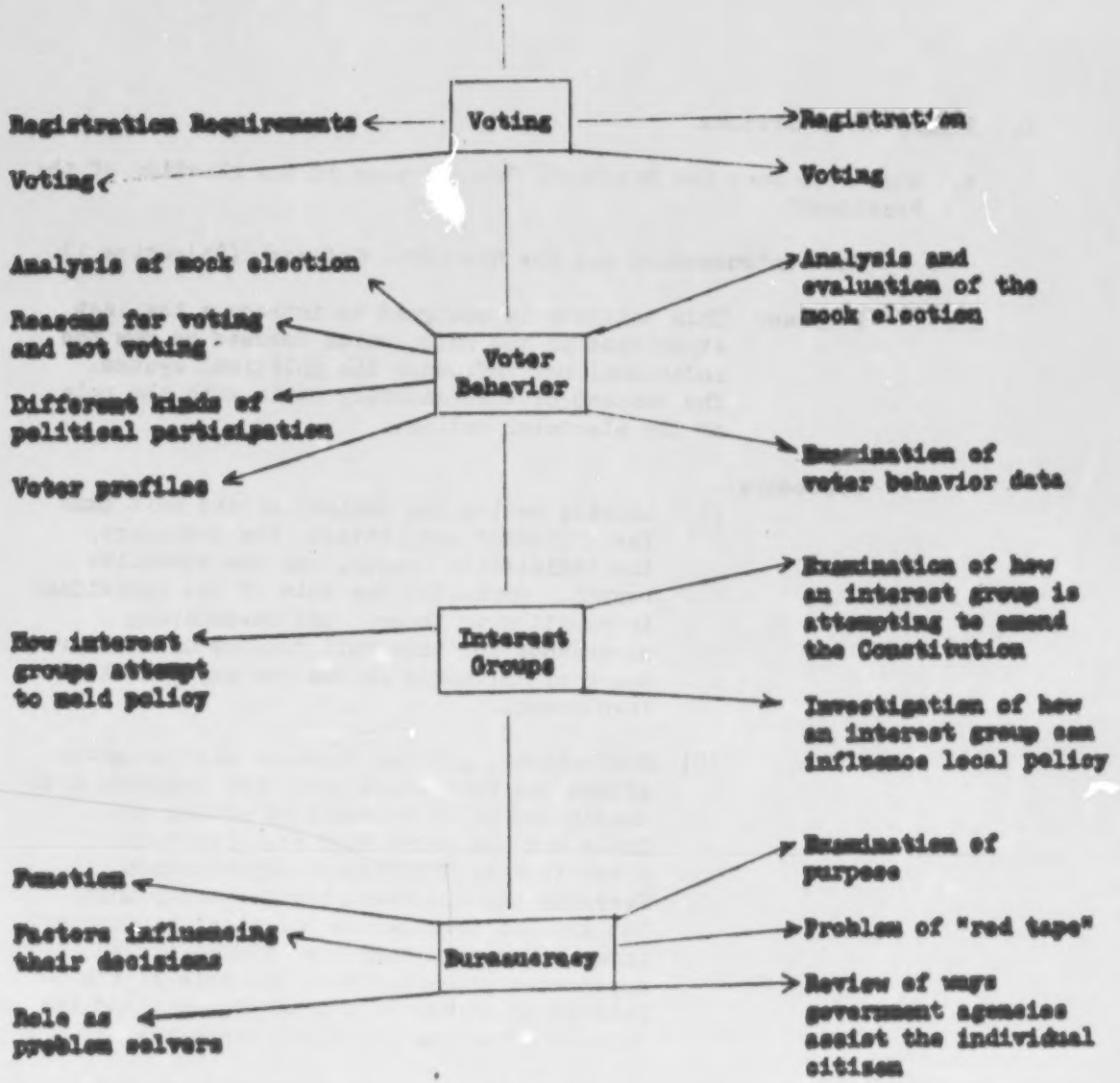
Following is a content and step by step overview of the "Political Involvement" experience. A simulated election has been incorporated into the experience and acts as a continuing link between content and active involvement. The philosophy behind this approach is that, after mastering the content relating to the particular steps in the election process, these skills and knowledge will be actively applied in the simulated election. Hopefully, this will lead to the realization that political involvement is a practical, positive means for the individual to effectively interact with our political system. It is not merely something to be read and talked about, then forgotten. This kind of approach can be used to parallel real elections in an election year or to enliven the classroom in off-election years.

Two very useful sources are available for consideration in this experience. Student Simulated Election, a practical handbook developed by Barry Lefkowitz, provides detailed information on how to implement each step of the election process. Multiple copies of this bulletin are available in each high school. If you are unable to locate this guide, call Don Vetter at 848-8280 and request a copy. The other source is the mock convention contained in GR-62. This kind of activity could be incorporated into your program in convention years.

TEACHER OVERVIEW OF

"POLITICAL INVOLVEMENT"


Content
Activities
Electoral process
Introduction to the unit structured around a mock election
Introduction and Electoral College
Examination of Electoral College
Functions of political parties
Political Parties
Dividing the class into parties by playing the Party Game; examining the function of political parties
Differences between Republicans and Democrats
Comparing and contrasting the platforms of the Democrats and Republicans
Writing party platforms
Primaries and conventions
Finding a Candidate
Examining primaries and conventions
Selecting candidates
Campaign strategies
Campaigning
Examining a variety of campaign strategies, considering their effectiveness, analysis the role of the media
Public opinion polls
Role of the media
Considering the issue of campaign finances
Campaign finances
Staging their own campaign and assembly


Voting
Registration Requirements
Voting
Registration
Voting
Voter Behavior
Analysis of mock election
Reasons for voting and not voting
Different kinds of political participation
Voter profiles
Analysis and evaluation of the mock election
Examination of voter behavior data
Interest Groups
How interest groups attempt to mold policy
Examination of how an interest group is attempting to amend the Constitution
Investigation of how an interest group can influence local policy
Bureaucracy
Function
Factors influencing their decisions
Role as problem solvers
Examination of purpose
Problem of "red tape"
Review of ways government agencies assist the individual citizen

D. Suggested Activities

1. What role does the Electoral College play in the election of the President?

Unit Introduction and the Electoral College (Objective 1)

Purpose: This activity is designed to introduce the last experience in the unit, which focuses on how the individual may influence the political system. The content of this activity deals with the role of the electoral college.

Procedure:

(1) Quickly review the content of the unit thus far: dissent and protest, the judiciary, the legislative branch, and the executive branch. Emphasize the role of the individual in relation to these. The culminating experience for this unit focuses on another means of influence on the system, political involvement.

(2) Motivation: Ask the students what possible effect one vote might have when compared with nearly 200 million people of voting age. Bring out the point that real political power lies in numbers and organization. Everyone has one vote, worth exactly that, but grouped together in political parties or interest groups, they have POWER. This experience will deal with the role of the individual in the political process, and the factors affecting political decisions.

(3) Administer a quick true and false "quiz" on the electoral college.
   (a) The people of the U.S. vote directly for the President.
   (b) There is no law in the Constitution which regulates how our President is to be elected.
   (c) Congress, as a legislative body, has a say in every Presidential election.

(4) Check the "quiz" and introduce the electoral college. Explain that, before studying political involvement, it is necessary to look at this institution.

(5) Assign a reading that deals with the electoral college. Possible sources are:
Practical Politics and Government, pp. 414-17.

The Foundations of Our Government, p. 159
Politics and People, pp. 72-74

(6) Topics to consider:
- (a) Reasons why the electoral college was established
- (b) How the votes are distributed among the states (map work)
- (c) Casting of votes (when, where, etc.)
- (d) Counting of votes
- (e) Congress' role in selecting the President if no one has a majority in the electoral college
- (f) Pro's and con's of this system
- (g) How a candidate can win the popular vote and lose the electoral college
- (h) Reforms to the system

2. What role do political parties play in the American political process?

a. The Party Game (Objectives 2, 5)

Purpose: This activity will introduce students to political parties and illustrate the functions that they serve.

Procedure:

(1) Play the "Party Game" in Political Parties in the U.S. You may want to change the issues found on page 4 because those listed deal with school-related topics. To deal with the concept of political parties on the national level, other issues might be better.

(2) Pages 6-9 in this AEP book deal with functions of the political parties. Questions are provided there. Also consider pages 25-33 in Scholastic's Politics and People.

(3) Your class should now be divided into at least two parties. These groups will be used throughout the rest of this experience while your class proceeds through a mock election.

Variation:

Play the game called "Coalition" which is found on pages 3-13 (TG 2-4) of Practical Politics and Government.

b. The differences between the parties (Objective 2)

Purpose: This activity will clarify the differences which exist between our major parties as illustrated by the respective platforms.

Procedure:

(1) Have students list five statements on issues that a Democrat would agree with. Do the same for a Republican.

(2) To evaluate the statements, distribute handouts based on summaries of the two major party platforms from the 1976 election. These may be found in two articles in U.S. News and World Reports, July 26, 1976, pages 32-33, and August 30, 1976, pages 30-31.

(3) Have students examine the platforms for information backing up their initial lists.

(4) Use GR-60 to have students make an indepth analysis of our two major political parties.

(5) Some students may wish to do some research on a party other than the Democrats or Republicans. The following may be of special interest.
(a) American Communist Party
(b) Socialist Party
(c) American Party 1968, 1972
(d) Progressive Party 1912
(e) Right to Life Party 1976

Materials: U. S. News and World Reports, class copies of GR-60.

c. Writing a Platform (Objective 4)

Purpose: After comparing and contrasting the two major parties, the students will write platforms for their own parties. These platforms will be used during the campaigning and voting.

Procedure:

(1) Quickly review the purposes of a platform.

(2) In the last activity the students analyzed summaries of the two major platforms. Now it is necessary for you to propose a format for their platforms. Simple declarative statements such as "We believe . . . " or "We suggest . . ." will most likely serve the purpose in this

activity. Provide ample time for the parties to separately write their platforms. Encourage them to take clear stands on the issues. GR-61 provides an example.

(3) Have the parties present their platforms using either posters, the overhead projector or dittoes. This is not the time for debate, but it is a chance for students to get a feel for how much difference of opinion there really is in the class.

4. Primaries and Conventions (Objective 2)

Purpose: This activity will introduce students to our primary election process and national nominating conventions.

Procedure:

(1) Have students read Practical Politics and Government, pp. 161-162 and 223-224. Show the filmstrip "Political Conventions: Choosing the Candidates", K138, available from the Resource Center. Discuss the following:
   (a) What is the role of the primaries in selecting a Presidential candidate?
   (b) What is the function of a convention in selecting a Presidential candidate?

(2) Have the students evaluate the following statement:
   "Primaries and conventions are more important than the final election."

(3) Refer to news articles which appeared during the '76 campaign. Many of them stressed the importance of the primary process in Carter's victory.

Variations:

To clarify the importance of primaries and conventions in our electoral process, create a flow chart that depicts all the steps in the procession individual declaring her/his candidacy through inauguration.

Organize a mock convention following the detailed procedures on GR-62. This excellent activity is particularly valuable in the spring of a Presidential election year, but it should be of value at any time.

e. Selecting Candidates (Objective 4)

Purpose: After considering how candidates are chosen for national elections, the students will choose candidates to represent their political parties in the mock election. The process they will use is similar to a caucus.

Procedure:

(1) Explain to the class that they will select candidates for their political parties by using a process known as the caucus.

(2) Allow time for the parties to select candidates for "President" and Vice-President." These candidates should be supportive of the party platform and willing to give at least one campaign speech. The "Presidential" candidates will designate campaign managers and others needed to stage a campaign.

(3) Re-group and introduce the candidates. This is not the time for debate!

3. What kinds of campaign strategies are used to influence election results?

a. Campaign strategies (Objective 3)

Purpose: The purpose of this activity is to acquaint the students with the various techniques used by candidates to get elected.

Procedure:

(1) Motivation: Present the class with the following idea: "You are running for President of the United States. How would you get yourself elected?" List on the board their suggestions and tell the class that they are going to learn how candidates actually get elected.

(2) Scholastic, Politics and People (Chapters 3 and 7) describes various campaign strategies. You may want to assign a section to a small group to report to the entire class due to the length of these chapters. The two chapters delve into the "new" kind of politics: political consultants, public opinion polls, dirty tricks and campaign finances.

(3) After the reading, p. 52-54 have very good activities for the student. You may want to do this in partners or small groups. On p. 52, students will act as political consultants

and think of various campaign strategies to get their candidate elected. Page 54 has the student acting as a governor who must decide how to spend his $300,000 to get reelected.

(4) To summarize the lesson, have students rank from most effective to least effective the various campaign strategies. Have them give their reasons. Also, a good point to raise is, "Should no limits be set on campaign strategies or should the law regulate what candidates can do? Why?"

(5) Suggestion for a homework assignment - handout Student Resource GR-63. This will give the student an opportunity to plan his own campaign strategy for a candidate.

b. Redford returns (Objective 3)

Purpose: In the film, "The Electric Flag" (F342C), scenes from "The Candidate," starring Robert Redford, are intercut with footage of actual political events. In this manner, the control of the media on the campaigning of modern political candidates is depicted.

Procedure:

(1) Before showing the film, conduct a brainstorming session in which students are asked to identify the role of the media in the election process. Discuss:
   (a) If you were running a major campaign, what image would you want to project to the people?
   (b) How would you do it?

(2) After viewing the film, have students analyse the role of the media and evaluate its impact on determining the winners of important elections. Discuss the following questions.
   (a) Does the media play too large of a role in determining eventual winners of national elections?
   (b) Should candidates be allowed to use the media for campaigning?
   (c) If this type of media control continues, what effect will it have on the decision-making process of the electorate?
   (d) Can candidates be sued for false advertising?

(3) As a follow-up activity, when you stage an election with your ninth grade classes, provide one candidate as much media exposure as desired . . . posters, pictures, newsletters and speeches to various classes. When you debrief the election process, discuss:
   (a) What was the impact of the additional media exposure on the election outcome?
   (b) If some candidates receive an undue advantage by virtue of better coverage, how can we strive to achieve a more equitable balance of exposure?

**Variation:**

(1) Show "Politics on the Grass Roots Level" (F437C) which shows a variety of campaign strategies.
(2) Examine Unit 5 of Practical Politics and Government.

e. **An Opinion Poll** (Objectives 3, 4)

**Purpose:** This activity is designed to have the students consider telephone surveys as campaign strategies and their role in an election.

**Procedure:**

(1) Introduce the telephone survey as both a campaign strategy and campaign indicator.

(2) Solicit their ideas as to
   (a) What people could a phone survey reach which other means may not? (Ex.: housewives, shut-ins, retired people)
   (b) Besides the people above, what other benefits are provided by using the phone as means of campaigning? (Ex.: time, travel expense, caller's appearance not seen)
   (c) What do you see as some problems with phone calls as a means of campaigning? (Ex.: people can cut you off abruptly, could more easily avoid direct answer)

(3) Select several "responsible" students to work as telephone interviewers. They will be assigned to call potential voters over a period of several days. Advise them that they will be expected to follow the guidelines set forth as follows:
   (a) Call people that know you.
   (b) Always be polite and courteous.

(c) Keep conversation brief.
(d) Ask specific questions requiring direct answers. (Example provided by teacher.)
(e) Call between 1 to 5 p.m. and 7 to 9 p.m.

(4) Example of interview questions:

Good evening _____. This is _____. I am calling in behalf of _____ who is running for _____. If you have a minute, would you mind giving me your response to a few questions;
(a) What do you think is the big issue facing us in this election?
(b) Are you registered to vote this time? If not, may I give you the location and hours where you may do so?
(c) If registered, are you certain as to the location of your voting place?
Gently encourage the person to vote for your candidate, thank them and hang up.

(5) Keep a written record of the calls, and check the number of registered and non-registered voters. Tabulate the results.

Variation:

Have your pollsters predict the outcome of the mock election. An investigation of the Gallup and Harris pollster' techniques and accuracy would be interesting. Also a look at the mistake in the mistaken headline declaring Dewey a winner in 1948 would be appropriate.

d. Press Release (Objectives 3, 4)

Purpose: The purpose of this activity is to have the students create their own press releases and use them in conjunction with the mock election.

Procedure:

(1) Review with the class the various campaign strategies. Instruct the class that they are going to write press releases for their mock election candidates.

(2) Explain what a press release is. Suggested explanation - a brief report on the candidate's activities. Its purpose is to keep the candidate in the public eye throughout the campaign.

(3) Divide the class into small groups. The division should correspond to the political parties formed for the simulation. Instruct the class that they are going to create press releases for their candidates. They will have to use their imagination to create situations. The release should be written on standard notebook size paper; be brief and concise.

(4) If you want to have the class distribute their press releases to the "voters," have them write their releases on a ditto and then run off copies for distribution.

**Variation:**

(1) Have press releases posted on a bulletin board.

(2) Scholastic, Politics and People, p. 130, has an activity for writing press releases. The examples are given to the student; he/she is then to expand and write a press release based on given facts.

e. **Staging a campaign and assembly** (Objective 4)

**Purpose:** After considering a variety of campaigning strategies, the students will conduct their own campaign, culminated by a campaign assembly.

**Procedure:**

(1) Explain to the class that during the next several days they will be conducting their campaign and having a campaign assembly which features speeches and/or a debate among the candidates.

(2) If you wish to incorporate "Campaign Finances" into the simulation refer to Student Simulated Election booklet for suggestions.

(3) Allow time for the parties to choose strategies and implement them. Several days should be sufficient. Set a day for the campaign assembly or debate.

(4) Set up a campaign assembly at which the candidates will give speeches and/or debate the issues. Set strict time limits, or spontaneous outbursts may occur. Voting may occur at the conclusion of the assembly. Refer to Student Simulated Election for further details.

**Materials:** Student Simulated Election by Barry Lefkowitz of the Institute for Political/Legal Education (IPLE)

4. **What are the steps in the election process?**

   a. **Voter Registration** (Objective 4)

      **Purpose:** Before registering to vote, the students will consider the purposes of voter registration.

      **Procedure:**

      (1) Ask the students to list the purposes that they think voter registration serves. From that bring out the current registration requirements in Maryland (18 years old and 6 months residency).

      (2) Have several students register all eligible voters. It is helpful to use a standard form. (GR-64) Be sure to keep a master list of all registered voters. Voter registration cards add a touch of authenticity. (GR-64)

      **Variation:**

      (1) This is a good opportunity to consider how registration has been used as a discriminatory tool in the past (GR-65, GR-66). Practical Politics and Government, pages 64-95, should also be of value.

      (2) Try to get a representative of the League of Women Voters to participate in your voter registration.

   b. **Voting** (Objective 4)

      **Purpose:** After going through the steps in the election process, the students will cast their votes.

      **Procedure:**

      (1) Designate a special area to be the polling place. Have several dependable students, possibly from another class, act as election supervisors.

      (2) Run off ballots. As the students vote, cross their names off the master list and have them put their ballots in the box.

Note: It would be ideal to incorporate voting machines, but there is a fee for setting-up and transporting the machines. If your school or department has funds available or if a community service organization is willing to defray costs, the use of voting machines will lend authenticity to the activity.

(3) Have the election supervisors count the votes and announce the results. You can expect some spontaneous enthusiasm at this point!

5. What factors influence voter behavior?

a. Analyzing the Mock Election (Objective 4, 5)

Purpose: This activity is designed to debrief and evaluate the mock election activity.

Procedure:

(1) Have each political party conduct a self-evaluation of its activities during the mock election. Have them list the strengths and weaknesses of their:
(a) platform
(b) ticket
(c) campaign strategies
Have the "losers" predict what they could have had to do to win the election. Have the "winners" identify what specific factors they feel caused them to win.

(2) Re-group and conduct a whole-class debriefing. Begin by touching on the above questions, then expand the questioning to include:
(a) The role of their political parties in the process
(b) What kinds of issues were dealt with in the platforms and the role the platforms played
(c) The decision-making process used in selecting their candidates
(d) The kinds of campaign strategies used and the effectiveness of each
(e) The specific factors that influenced voter behavior

(3) Construct several graphs to analyze voter behavior. Some items to include are:
(a) Total votes cast and the number of votes for each candidate

(b) Number of voters and non-voters
(c) Number of voters who crossed party lines
(d) Voting patterns by sex, age, and residence
This information will be useful in comparing national voter behavior and their student voter behavior.

b. **Participation in politics** (Objective 5)

**Purpose:** Students will consider the different levels of political involvement, at the national level and draw a comparison by using results gathered from their own mock election.

**Procedures:**

(1) Ask students to speculate (using a percentage figure from 1 to 100%) about American political participation by using the chart below.

The following estimates were taken from studies on voter behavior during the period 1948-1960. They indicate the percentage of persons participating in the ten activities listed.

| | Student Responses | Response of study |
|---|---|---|
| (a) Participating in a political discussion | | 75% |
| (b) Wearing campaign buttons or displaying bumber stickers | | 15% |
| (c) Holding membership in a political club | | 3% |
| (d) Voting in a Presidential election | | 52-64% |
| (e) Talking to others about voting for a certain candidate | | 25-30% |
| (f) Writing to a Senator or Congressman | | 15% |
| (g) Running for public office | | 1% |
| (h) Participating actively in a political campaign | | 3-5% |
| (i) Contributing money to a political campaign | | 10% |
| (j) Attending a political rally | | 7% |

(2) Once the students have had an opportunity to answer all the categories, then reveal the true percentages.

(3) Questions to debrief the activity could be as follows:
   (a) Why are there differences between each category?
   (b) What results can we expect from the behavior of Americans and their political participation?
   (c) Where will you be on the chart in years to come?

(4) To come up with a basis for comparison, have a group of students conduct a survey using the same ten items. The survey should be conducted among the students participating in the mock election. When they have gathered their information, present the class with the statistics and draw comparisons. The debriefing questions could be as follows:
   (a) Why are there differences between each category?
   (b) What does the chart say about student participation in the election process?
   (c) Should the voting age be raised or lowered? Why?

**Variation:**

Have students make a chart or graph of the percentages.

c. **Analysis of Voting Participation** (Objective 5)

**Purpose:** Students will analyse and interpret voting information.

**Procedure:**

(1) Distribute the statistics on GR-67 and have students analyse the data to draw conclusions about what factors influence voter behavior.

(2) Regroup and have students present and substantiate conclusions.

(3) For low ability classes, you could draw the conclusions and have the students identify the information that supports them.

**Variation:**

Another source of information is <u>American Political Behavior</u>, pages 214-238.

d. "To Vote or Not to Vote" (Objective 5)

Purpose: The students will observe a list of variables and identify the reasons most frequently given for not voting.

Procedure:

(1) Place the following information on the chalkboard.

| | Reasons for not Voting | % |
|---|---|---|
| (a) | Didn't bother to register | 4 |
| (b) | Not interested | 5 |
| (c) | Neither candidate impressed | 24 |
| (d) | Ill or disabled | 7 |
| (e) | Job restrictions | 8 |
| (f) | Away from voting area | 7 |
| (g) | Other | 13 |
| (h) | No response | 42 |

(2) Advise students that the percentages are scrambled and they should correct them. (Note: the order is as follows: A/42, B/24, C/13, D/8, E/7, F/7, G/4, H/5)

(3) Evaluate their understanding by going over their responses and have them indicate why they chose to put them in the order which they did.

Variation:

(1) Have the students hypothesize 8 or 10 reasons for not voting before doing step 1.

(2) Another source of information on reasons for voting or not voting is American Political Behavior, pages 209-213. This is appropriate for higher ability students.

6. How do interest groups influence the political system?

a. The ERA (Objective 6)

Purpose: This activity is designed to illustrate how an interest group operated on a national level and attempted to amend the Constitution.

Procedure:

(1) Motivation: Ask for a definition of the phrase "Special Interest Group." Next, ask for examples of such groups. In the event that the group representing Equal Rights

is mentioned, use this as a stepping off point to proceed to the explanation of the ERA.

(2) Pass out Resource Sheet GR-68 and go over the content. Make note of the "special interest groups" working to have this amendment passed. (League of Women Voters and the Citizens Coalition for the Equal Rights Amendment)

(3) Reinforce the motivation in #1 above by asking the question, "What is the key feature of this issue which makes it 'special'?" Explain that they have positively identified a working model to analyse how such special interest groups work within the system to bring about change.

(4) Pass out a copy of the Constitution. Refer to Article 5. Point out the ways amendments are brought about. Chapter 10 of Foundations of Our Government, pages 154-156, describes the process.

(5) Review their opinions on what the Equal Rights Amendment involved. If necessary, refer again to Resource GR-68. Ask them why they think the groups chose to attempt to amend the Constitution.

(6) Explain that the class is now going to look at the progress of the actual amendment that is being considered. Pass out Resource GR-69. Direct them to place a ✓ mark on those states which have passed ERA and an X on those which have not passed it. (Note: teacher should locate states voting record in sources such as Time or Newsweek.)

(7) Divide the class into two groups for and against. Allow time for them to put together their arguments and to designate a spokesman to debate their point of view. Refer to the section in the Appendix concerning how to set up a class debate.

(8) Evaluate the topic by having volunteers point out how the ERA proceeded from its beginning through its present status. At this point, teacher may wish to place the procedure on the overhead again as a means of reinforcement.

**Variation:**

For students who are interested, the 18th and 20th Amendments are also good case studies in interest groups amending the Constitution.

**Materials:** Class copies of GR-68 and 69; Foundations of Government

b. **Interest Groups on the Local Level** (Objective 6)

**Purpose:** This activity is designed to allow the students to consider the impact of interest groups on the local level.

**Procedure:**

(1) Review the term "interest group" and have class list examples (AFL-CIO, AMA, NAACP, NFL, U.S. Steel)

(2) To focus on the influence of interest groups, AEP's Municipal Politics is a good source of information. The entire book has high interest activities that follow the opening situation: a group of citizens want to build a public beach. The text is self-contained so refer to it for suggested activities and debriefing questions.

(3) In addition, a learning activity package in the State and Local Government guide developed in 1974 deals with this topic. It is entitled "Interest Groups and Local Government" and includes pre and post tests plus a number of activities.

**Variation:**

Practical Politics and Government, pages 14-31 and/or 34-61

**Materials:**

(1) Municipal Politics, Xerox (AEP)

(2) LAP: "Interest Groups and Local Government" with accompanying Teacher's Guide

c. **The function** of bureaucracy in the government structure (Objective 6)

**Purpose:** This activity will focus on the role of within our government structure and examine their influence on the decision-making process.

**Procedure:**

(1) **Motivation:** As a way of introducing the concept of bureaucracy, p. 274 of Practical Politics and Government has a Doonesbury cartoon which shows the "redtape" involved when dealing with the government. Have the student react to the cartoon.
   (a) What point is Trudeau trying to bring out?
   (b) Do you agree with him?
   (c) What should be done about this problem?

(2) Introduce the term bureaucracy and define. (Suggested definition - An organization designed to carry out the work of government. Authority is spread among many offices and strict rules are followed.)

(3) To reinforce the idea of bureaucracy, have students refer to pp. 270-271, Practical Politics and Government. This short reaction gives background information on bureaucracies.

(4) One of the functions of bureaucracies is to make decisions. There is a section in Practical Politics, pp. 289-315, which focuses on four individuals and their contact with bureaucracy on the state and federal level. The cases are made into a series of letters that are sent back and forth from the citizen to the various departments. You may want to divide the class into four groups and assign one case to each. There is an assignment to each case and good debriefing questions on pp. 316-318.

(5) In addition to the debriefing questions, bring out the following: What factors influence bureaucrats in the decision-making process? (Students should bring out the following: public opinion; available resources - money time and people; politics; foreign policy)

**Variation:**

A simulation game on the bureaucratic process, "The Game of Bureaucracy," is on p. 319 of Practical Politics and Government.

d. **Government agencies and citizens' problems** (Objective 6)

**Purpose:** When looking at bureaucracies, a negative attitude often surfaces. However, there is a positive

side; when citizens need help, there is usually an agency designed to help them. The purpose of this activity is to help the student become aware of governmental agencies that can be of help.

**Procedure:**

(1) Refer to the term bureaucracy and discuss its function. Have students list a few agencies (Civil Service, Bureau of Indian Affairs, Health, Education, and Welfare, Commerce Dept., Agriculture Dept.). How do these departments help us?

(2) Since the purpose of this lesson is to see how agencies help us, a suggested way to deal with this concept is as follows:
List a series of agencies on the board or overhead projector. Discuss with the class the function of these agencies. Then present various problems and ask the student to pick which agency would be able to help.
Sources for agencies:
(a) Scholastic, State and Local Government, Chapter 9 and 10
(b) Madden, Practical Politics and Government, pp. 52-59 on the local level, pp. 280-283 on the federal level
(c) Bard, Maryland State and Government, chapters 11-21
(d) Maryland State Government, pp. 15-16

(3) Summarize: Do these agencies really help us? Should they continue as they are, be modified or be abolished? Explain.

**Variation:**

Two learning activity packages developed for upper level elementary grades may of value as sources of ideas for working with lower ability students. Included in the 1974 curriculum bulletin entitled State and Local Government, they are
(a) "Student Use of County Agencies" - LAP and Teacher's Guide. This LAP deals with the major functions of county agencies and focuses on information of a practical nature.
(b) "To the Rescue!" - LAP and Teacher's Guide. This LAP focuses on county and state level emergency service agencies and their role in providing relief in the event of a natural disaster.

## E. Evaluation

Each learning activity package in the State and Local Government (1974) curriculum bulletin contains a series of two or three objectives-based pre and post tests. Many of these items parallel the objectives for this experience and should be of value to you in preparing a test for this experience or for the entire unit on government.

Another worthwhile source is the 1974 curriculum bulletin, Criterion-Referenced Test Items for Grade 9: Resolving Conflict in American Society. This is an entire book of objectives-based test items which were developed for units on "Problem-Solving," "Economics" and "Government." Many of these items should be of value to you for this unit.

## F. Resources

### 1. Teacher Resources


Hibberman, Ira and Vetter, Donald P. (eds.). Individualized Instruction Materials on State and Local Government. Carroll County Public Schools, 1974.

Hibberman, Ira and others. Criterion-Referenced Test Items for Grade 9, Carroll County Public Schools, 1974.


### 2. Student Resources


Jantzen, Steven. Politics and People. Scholastic, 1977.

Jantzen, Steven. Foundations of Government. Scholastic, 1977.

Lefkowitz, Barry. Student Simulated Election. IPLE, 1975.

Madden, John. Practical Politics and Government. MacMillan, 1976.

Municipal Politics. Xerox (AEP), 1968.

Political Parties in the U.S. Xerox (AEP), 1968.


### 3. Audio Visual (Available at County Resource Center)

"The Electric Flag" - F342C

"Politics at the Grass Roots Level" - F437C

"Political Conventions: Choosing the Candidate" - K138

# WILD IN THE HALLS

Eric Williams sat with his leather heels firmly on what had once been the highly polished desk top of the Superintendent of Schools of Carroll County. The room in which he sat was littered with pieces of broken glass, torn books, and empty rifle cartridges. It had almost not come off, but the revolution had succeeded. By 1995, teenagers had outnumbered adults two to one, and had become an overwhelming majority in the high schools and middle schools. It had only taken someone of genius like himself to organize the revolt. It had started as a classroom argument, had spread to a school-wide riot, snowballed to a general insurrection throughout the school system, and finally, when the students - under the leadership of Eric and others like him - had gotten hold of guns, it was all over. "Outnumbered, conservative, and stupid," thought Eric, "those adults never had a chance."

He was startled out of his reverie by the entrance of one of his lieutenants, a heavily-armed ninth grade veteran of the Battle of Carroll High. "We have the remaining adults herded into the camp, Baby." Eric smiled when he heard <u>that</u> term. "Baby" had been his idea for a form of common address among the members of his new society. No more Mr. or Mrs., son or kid ...from now on all citizens were to be addressed as "Baby." "I've issued your orders abolishing school for the 'duration' and for the issuance of drivers licenses to all those over thirteen. We didn't need to say anything about the drinking age, the liquor stores were the first to be stripped. Only problem is, now we've got hundreds of maniacs driving around drunk, and they're more dangerous than an armed adult. We've had literally thousands of complaints. What shall we do?" Eric sighed disgustedly, "This is about the 50th time I've heard that complaint. Issue orders that the next persons caught driving drunk are to be shot - no questions asked." "But Eric," his Lieutenant exploded, "nobody was ever shot <u>before</u> for drunken driving. You can't do this!" "Look," said Eric, "I fought and killed to end what went <u>BEFORE</u>, now if you don't like it, you can go with your parents to jail. Now get out!" With a muffled curse, the boy stormed out.

Seething with rage at those too stupid to know when they were well off, he reached for the phone to make a call, and found out that the line was dead. "Linda," he screamed into the next room, "where is a phone that works?" Linda came running into the office, brushing her shoulder length blonde hair out of her face. "Eric, didn't you know, all the phones are dead, and there is no one around to fix them. Also, the electricity went out all through the city about five minutes ago, and we can't find any of the boys from the vocational school to send over to the power station and get the juice going again. Oh, Eric," she began to cry, "everything is just falling to pieces! Before the shortwave radio went dead, we heard from the British Broadcasting Company that the Russians were claiming that they had been asked by the adult government to come to their aid, and that they're going to invade us. What are we going to do?"

Eric sat numb and unmoving in his chair. When it had started out, the Revolution had seemed so glorious. He had learned from his stupid teachers all about ideology and propaganda, and once he had gotten into a position to lead, he had promised his followers everything that they had wanted. There were no more restrictions, no more forced education. There was freedom, equality; everyone could do their own thing. So what if it had cost hundreds of thousands of lives? All good things had a price. What was wrong; why was it crumbling? He never found out the answers, for, at that moment, a lone adult, who so far had eluded the patrols sent to round up all his kind, driven mad by the events of this past six months, crept into the office and blew Eric's brains out.

## CASE STUDIES ON DISSENT AND PROTEST

Note to student: After reading each of the cases below, decide which is an example of protest. Be sure to back-up your choice with a reason.

Case A: President Carter announces a gas rationing program that will go into effect next month. John Weatherby is very upset because he has to travel 50 miles a day to and from work. He talks with others in his neighborhood who argue with him that Carter's plan is no good.

Case B: John Amos, a friend of Mr. Weatherby, feels that talking about the gas rationing program is not enough. He has decided to organize a group of concerned citizens, and write letters to their Congressional Representatives stating how they feel.

Case C: The Carroll County Commissioners have become very concerned with the increase of crime in Carroll County, especially among juveniles. They have proposed a curfew plan that will affect the entire county: "All juveniles will have to be off the streets by 8:00 P.M. on weekdays, (Monday - Thursday) and 10:00 P.M. on weekends, (Friday - Sunday)." Many young people in Carroll County are upset at the thought of a curfew.

1.) What is your reaction to the proposal? Why?

2.) What would you do to let the Commissioners know how you feel?

## DISSENTERS - ONE AND ALL

All the people on the list you have been given have something in common. They all, at one time or another, were dissenters!

What is a dissenter?

When have you ever dissented?

The people on the list are probably quite different from you. Each of them broke either a rule or a law when advancing their dissent to protest. You will be responsible for doing a brief report following some library research, on one of the people on the list. Your report may be in a form you choose: Written, Oral or Interview Format. If you have an alternative method, check with the teacher for approval.

In the report, you must answer these questions:

1.) What was the dissenter trying to accomplish?

2.) What method did he/she emphasize as a means of protest?

3.) Was the dissenter successful in accomplishing this goal?

4.) Was he/she willing to accept punishment from the authorities for his protest?

# FAMOUS DISSENTERS IN HISTORY

Each of you have been selected because of your particular abilities to investigate a number of varied personalities that have played an active role in the history of dissent and protest. Each of these personalities, like you, has accomplished special things. Historians consider them great because of their various deeds and acts. It is your responsibility to investigate the profile of the dissenter to whom you've been assigned.

We have supplied each of you with one source book. This book should serve as your starting point. By no means will this book answer all of your questions or concerns. Therefore, you will have to search out additional information and be prepared to act as a resource specialist for the rest of the cass.

Members of the class will want to know a great deal about the people you have researched. It can be expected that they will put to you a considerable number of questions. Thus, we are giving you some support by listing a number of questions below which you might find answers to in your research. Remember, we are depending on you to be well-informed about the person you are investigating. Good luck on your research and if any problems should arise, feel free to contact your teacher for any help you may need.

Areas to be aware of

1. During what era of time did this personality live?
2. Briefly describe the early life of the individual.
3. Did this individual have any special educational accomplishments?
4. Why do historians view this personality as controversial or important in history?
5. Would the changes in the system have occurred without your personality's involvement in the movement?
6. Did your personality die knowing he was famous or that he would someday be famous for what he had done?
7. What are your reactions to the methods this individual used to accomplish his/her goals?
8. What was the reaction of society to his/her deeds or acts when he/she was living?
9. Can you suggest any alternatives to the methods used by the personality you investigated? Was there a better way he could have accomplished the goals?

The Person You Are To Investigate Is: _____

# FAMOUS DISSENTERS IN HISTORY

A number of talented, bright young students in this class were selected to do some research on controversial figures in history. They are now ready, willing, able, and qualified (we hope) to act as resource specialists to help you learn all that they have learned.

Each of you can determine which of the personalities you are to meet with by looking at the checklist below. Also you will note a series of questions at the bottom of the page which you are to respond to for each of the personalities you meet with. We will collect from you the completed questions and this checklist at the conclusions of the activity. Good luck in getting to meet these new people.

_____William Lloyd Garrison
_____Billy Mitchell
_____Mahatma Gandhi
_____Sarah and Angelina Grimke
_____Frederick Douglass
_____Emma Goldman
_____Malcolm X
_____Nat Turner
_____Elizabeth Cady Stanton
_____Harriet Tubman
_____Stokely Carmichael
_____Alexander Solzhenitsyn

1. Why was each of the people you learned about considered to be controversial?

2. Do you agree with the methods they used to bring about change? Explain why or why not?

3. What traits do you admire in this individual? What traits didn't you admire?

| | H. Rap Brown | Bobby Seale | Jim Brown | M.L. King Jr. | Stokely Carmichael |
|---|---|---|---|---|---|
| WHAT METHOD OF PROTEST DID THIS PERSON ADVOCATE? | | | | | |
| LIST A FEW NOTES TELLING WHY YOU THINK THIS PERSON WAS OR WAS NOT SUCCESSFUL IN GETTING PEOPLE ON HIS SIDE | | | | | |
| IF YOU WERE A YOUNG BLACK PERSON IN THE 1960'S, WOULD YOU SUPPORT THIS PERSON AND HIS METHODS? | | | | | |
| IF YOU WERE WHITE AND MIDDLE AGED IN THE 1960'S, WOULD YOU SUPPORT THIS PERSON AND HIS METHODS? | | | | | |
| WHAT SIMILARITIES ARE THERE BETWEEN THESE MEN? | | | | | |

| ANALYZING METHODS OF PROTEST<br>Method | HIGH RISK | LOW RISK | NEEDS LARGE GROUPS | NEEDS ONLY A FEW PEOPLE | NEEDS NO TRAINING | NEEDS GREAT DISCIPLINE | REQUIRES MUCH PLANNING | CAN BE SPONTANEOUS |
|---|---|---|---|---|---|---|---|---|
| (eg.) Pickets | | | | | | | | |
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## VOCABULARY: DISSENT AND PROTEST

1. Freedom of choice:

2. Felony:

3. Arraignment:

4. Magistrate:

5. Subpoena:

6. Injunction:

7. Aristocrat:

8. Henry David Thoreau:

Reading I: Guide Questions:

1. What happened in Larmar, South Carolina?

2. At what point would the actions of that group no longer be considered legitimate dissent?

3. How should the political system deal with people who behave like the group at Larmar?

Reading II:

1. Why did Tom refuse to register for the draft?

2. Why did Judge Rosenberg sentence Tom to four years in a federal reformatory?

3. Is civil disobedience a form of dissent or alienation?

What Do You Think?

1. Under what conditions, if any, are citizens justified in destroying private property? in threatening bodily harm to people?

2. Suppose everyone decided for himself when to obey the law and when not to obey? Could society operate?

3. What would you do if you were expected to obey a law that in your judgment violated your conscience?

## PATRIOTIC EXERCISES - ARTICLE 77, S 77

### DISPLAY OF FLAG; PATRIOTIC EXERCISES

It shall be the duty of the board of education of each and every county in the State of Maryland, and of the Board of Education for Baltimore City, in the State of Maryland, to cause to have displayed a flag of the United States of America upon every public school building within their respective jurisdiction while said schools are in session, and to that end shall make all necessary purchase (purchases) of flags, staffs and appliances therefor and establish rules and regulations for the proper custody, care and display of the flag in said schools; and it shall be the duty of said boards of education to provide each classroom with an American flag; to prepare for each classroom at the beginning of each day of classes in all public schools of the State a program providing for the salute to the flag and other patriotic exercises approved by the United States government; and to require all students and teachers in charge to stand and face the flag and while so standing render an approved salute, and recite in unison the pledge of allegiance as follows: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all." Any pupil or teacher, for religious reasons, may be excused from actually repeating the words of the pledge of allegiance and from giving any form of hand salute. Any person, however, who may commit an act of disrespect, either by word or action, shall be considered to be in violation of the intent of this section. The said boards of education may provide such other patriotic exercises from time to time as may be deemed by them to be expedient, and under such regulations and instruction as may best meet the various requirement of the different grades in such schools; all to the end that the love of liberty and democracy, signified in the devotion of all true and patriotic Americans to their flag and to their country, shall be instilled in the hearts and minds of the youth of America.

Source: Pupil Services Handbook, Carroll County Public Schools. page 114.

## THE STUDENT COUNCIL

Martha Smith was President of the student council at Brestol High School in Brestol, California. She was known as an aggressive person and was a popular student. Under her leadership, the student council had been active in Brestol community affairs. Known for its service to the Brestol citizens, it gave Brestol High a very good reputation. Soon it would begin to meet with student councils from all over Southern California to increase student impact on environmental affairs. Martha looked forward to this opportunity.

The student council became involved in many local community issues, but none seemed to cause as much trouble as its fight against air pollution. Brestol suffered from smog due to exhaust from cars and trucks. Martha felt no one in Brestol recognized smog as a serious problem. She thought the student body at Brestol High could help focus attention on this issue. The student council organized students to work, on their own time, in eight one-hour shifts, picketing the local car dealerships and gasoline service stations. While the students did not try to prevent anyone from entering these places, they did carry signs which stated that cars caused most of smog in the Brestol area. A local newspaper ran an article on the student activity and the Brestol television station showed films of the students picketing.

After a week of picketing, many car dealers and service station owners began to call the school principal, Mr. Owens. Apparently, the students scared away customers from the businesses they picketed.

Mr. Owens immediately called Martha into his office to discuss the problem. The picketing, he said, could ruin the school's good reputation. Mr. Owens, noting that he had no authority over students outside of school, urged Martha to use her influence to call off the picketing. Mr. Owens said he would not allow the Brestol High student council to participate in the all southern California environmental meeting unless Martha called off the picketing.

Martha was shocked. She thought the council's picketing was serving a constructive purpose. Many people were hearing of the dangers of air pollution. Why should she use her influence to call it off just because some local businesses were mad?

But Mr. Owens was the principal and he was relying on her. Mr. Owens knew the students would listen to Martha. Besides, if she didn't call off the picketing, Brestol High could not participate in the all southern California environmental meeting, a chance to have an impact on the entire state.

Should Martha call off the picketing?

Reproduced with permission from the Political Issues Skills Kit: Comparing Political Experiences, 1975.

## A. Case Study: Banning Prayer in the Schools

Prior to 1960, prayer and Bible reading were a normal part of opening exercises in many public schools. Probably most Americans did not give much thought to the practice. Most of those who did seemed to approve of it.

Madalyn Murray, a 41-year-old divorcee with two sons, lived in Baltimore, Maryland. Her oldest son, 14-year-old William, was a student at Woodbourne Junior High School. One day in September, 1960, he returned home from school with a complaint that led eventually to an important and controversial United States Supreme Court decision on June 17, 1963.

William Murray complained that he was required to say prayers with his ninth-grade classmates at school. This daily compulsory religious exercise offended him. William had been brought up to be a nonbeliever, an atheist. He protested that as a nonbeliever in religion he should not have to participate in the daily recitation of prayer. He asked his mother to complain to school authorities. William said to his mother, "They are praying in school. If you don't insist that I protest, you are a hypocrite. Do I have to pray in school or not?"*

### The Case Begins

Mrs. Murray first tried to change the school rule by contacting the school authorities. She petitioned the Baltimore Board of Education to ask that William be excused from the classroom during religious exercises. Dr. George B. Brain, superintendent of schools in Baltimore, answered Madalyn Murray's petition. He said that Bible reading and prayer in the schools were required by a 1905 school-board rule that stated:

> Each school, either collectively or in classes, shall be opened by the reading, without comment, of a chapter in the Holy Bible and/or the use of the Lord's Prayer.

No one had ever challenged the rule before. The superintendent said that if William Murray did not want to participate, "he could remain in his seat in respectful silence."

Neither Madalyn Murray nor her son were pleased with the superintendent's decision. To protest his decision, Mrs. Murray took her son out of school on October 2, 1960. On October 28 William returned to school after the school board agreed to refer the case to the Maryland Attorney General.

The Attorney General ruled that Bible reading and praying in school was legal and that any student leaving a class to avoid it could be accused of truancy.

Source: American Political Behavior, (Public domain version with 1972 copyright)

He also ruled that any student who objected to Bible reading and praying could be excused from participating.

Madalyn Murray was satisfied with the Attorney General's ruling. Her son asked to be excused from the religious exercises in school and in accordance with the ruling was not required to participate. At this point Mrs. Murray and her son considered the matter ended. But some people in the community felt otherwise, and the conflict was renewed.

**Public Reaction Keeps the Case Alive**

The Murray protest against prayer in the schools had become front-page news. The Attorney General's favorable ruling angered some Baltimore residents. William's schoolmates beat him up for daring to protest against prayer in the school. He was jeered and made a social outcast. Vandals threw bricks through the windows of their home. Some people sent obscene letters and made threatening telephone calls.

If these angry people had been willing to "live and let live," the Murray protest against prayer in the schools might have ended. But the abuse directed against her family led Mrs. Murray to fight back. She said, "I decided that the whole country was sick, and one relatively sane person had to make a stand." She decided to fight for a court decision that would eliminate compulsory Bible reading and praying from the public schools.

Mrs. Murray had very few political resources. She had become a social outcast. She had no powerful organization behind her. No administrative or legislative groups seemed interested in supporting her cause. She decided to turn to the courts.

**The Case Enters the Courts**

Mrs. Murray began by hiring an attorney, Leonard Kerpelman. Because he believed in her cause, he charged very little for his services. Mrs. Murray filed a petition in the Superior Court of Baltimore asking for the ending of "sectarian opening exercises from the Baltimore public schools." She claimed that for a student opposed to prayer to be merely excused from class (as then permitted by the school board) caused the student "to lose caste with his fellows and to be subjected to reproach and insult." She argued that prayer exercises in the school violated religious freedom "by placing a premium on belief as against non-belief."

Attorney Kerpelman argued before the Superior Court of Baltimore that the 1905 rule was contrary to the First and Fourteenth Amendments to the United States Constitution. Therefore, the "rule" should be declared illegal.

Following are the portions of the First and Fourteenth Amendments that the lawyer said were violated.

> *First Amendment:* Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. . . .
>
> *Fourteenth Amendment:* No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall

any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The Superior Court of Baltimore ruled against the Murrays on April 28, 1961. The judge decided, after reviewing the evidence, that Bible reading and prayer in the Baltimore public schools was legal and could continue. William Murray could refuse to participate in the religious exercise, but he would have to respect the right of other students to participate.

Mrs. Murray and her lawyer were unwilling to accept this decision. They believed that they could argue successfully that the school-board rule was unconstitutional. They appealed their case to the Maryland Appellate Court, the highest court in the state of Maryland. After long argument and study, the Court voted 4-3 to uphold the school-board rule. The majority of the judges argued that since William Murray was not forced to participate, the religious activities in school did not violate his basic rights under the Constitution of the United States.

**The Supreme Court Accepts the Case**

Mrs. Murray and her lawyer refused to quit. They believed that they were right and that they could obtain a fair hearing from the highest court in the land. They appealed the verdict, and the United States Supreme Court agreed to hear their case.

Through their attorney, the Murrays argued before the Supreme Court that their rights to freedom of religious choice had been violated by the 1905 rule of the Baltimore school commissioners that required "reading without comment a chapter in the Holy Bible and/or the use of the Lord's Prayer." The Murrays argued that this rule was "in violation of their rights to freedom of religion under the First and Fourteenth Amendments and in violation of the principle of separation between church and state contained therein."

The Supreme Court announced its decision on June 17, 1963. By a vote of 8 to 1, the Supreme Court declared unconstitutional the Maryland rule that the Lord's Prayer or the Bible be required for religious exercises in public schools. The Supreme Court decided that the "Maryland rule" contradicted both the First and Fourteenth Amendments to the Constitution and was therefore illegal.

Justice Clark wrote the majority opinion of the Court. It contained the following statements:

> Once again we are called upon to consider the scope of the provision of the First Amendment to the Constitution which declares that "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof. . . ." In light of the history of the First Amendment and of our cases interpreting and applying its requirements, we hold that the practices at issue and the laws requiring them are unconstitutional under the Establishment Clause, as applied to the states through the Fourteenth Amendment. . . .

The place of religion in our society is an exalted one achieved through a long tradition of reliance on the home, the church, and the inviolable citadel of the individual heart and mind. We have come to recognize through bitter experience that it is not within the power of the government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relationship between man and religion, the state is firmly committed to a position of neutrality. The breach of neutrality that is today a trickling stream may all too soon become a raging torrent. . . .

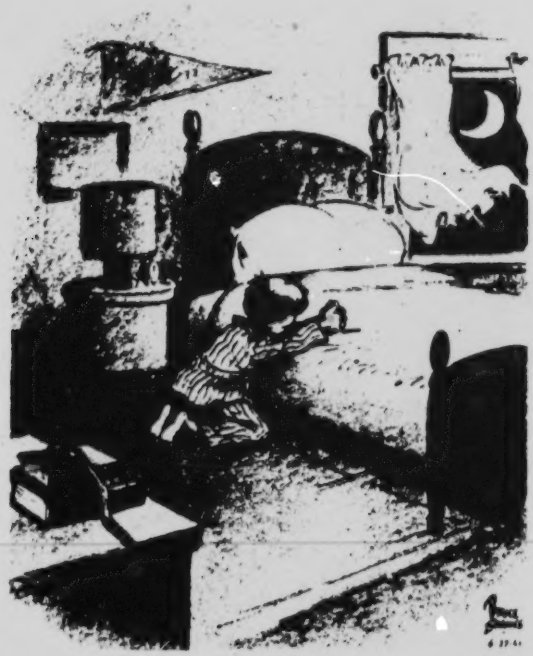
Concurring with Justice Clark, Justice Douglas said:

The vice of . . . such arrangements under the Establishment Clause [see the First Amendment] is that the state is lending its assistance to a church's efforts to gain and keep adherents. . . .

Such contributions may not be made by the State even in a minor degree without violating the Establishment Clause. . . .

Justice Potter Stewart was the only Supreme Court member who voted to uphold the practice of religious activities in the Baltimore schools. In his dissenting opinion he wrote:

. . . permission of such [religious] exercises for those who want them is necessary if the schools are truly to be neutral in the matter of religion. And a refusal to permit religious exercises thus is seen, not as the realization of state neutrality, but rather as the establishment of a religion of secularism, or at the least, as government support of the beliefs of those who think that religious exercises should be conducted only in private.



". . . and if it isn't unconstitutional."

Shanks in *Buffalo Evening News*

**Steps in the Development of a Legal Case:**
***Murray* v. *The Board of School Commissioners of Baltimore City***

**The Problem: William Murray was required to participate in Bible reading and prayer in school against his wishes.**

**Steps Taken to Resolve the Problem**

1. **Madalyn Murray appealed to school authorities.**
   **Result: She lost the decision. (October, 1960)**
2. **Madalyn Murray appealed to the Maryland Attorney General.**
   **Result: Partial but not totally satisfactory decision. (November 2, 1960)**
3. **Madalyn Murray appealed to the Superior Court of Baltimore.**
   **Result: She lost the decision. (April 28, 1961)**
4. **Madalyn Murray appealed to the Maryland Appellate Court.**
   **Result: She lost the decision. (April 6, 1962)**
5. **Madalyn Murray appealed to the United States Supreme Court.**
   **Result: She won the decision. (June 17, 1963)**

**The net effect was to reverse all previous decisions against Mrs. Murray which required her son to be in classrooms where prayer and Bible reading took place.**

## The Impact of the Murray Case

The Supreme Court had decided in favor of Madalyn Murray. This decision meant that not only was the Baltimore school rule unconstitutional, but by implication all similar rules in other cities and states were also in violation of the Constitution. Following this decision, many schools voluntarily ended Bible reading and prayer in the classroom. In other cases new court suits were begun to test state and local statutes. In still other cases community and school leaders searched for ways to continue religious exercises without violating Supreme Court rulings. For example, some schools used the prayer delivered in Congress each day and printed in the *Congressional Record*. Some political leaders started a movement to overturn the Supreme Court decision by advocating a constitutional amendment which would permit prayer in the public schools.

1. Why did Madalyn Murray appeal to the Supreme Court?
2. What impact did the decision in her case have on other people?
3. Why in the American political system are issues such as this resolved in the courts rather than in other ways?
4. List some ways in which decision-making in the Supreme Court differs from decision-making in Congress or by the President.

STATEMENTS BY THE SUPREME COURT IN THE TINKER CASE:

(a) "In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their views."

(b) "But, conduct by the student, in class or out of it, which for any reason - whether it stems from time, place, or type of behavior - materially disrupts classwork or involves substantial disorder or invasion of the rights of others, is, of course, not immunized by the constitutional guarantee of freedom of speech."

(c) "Only a few of the 18,000 students in the school system wore the black armbands. Only five students were suspended for wearing them. There is no indication that the work of the schools or any class was disrupted. Outside the classrooms, a few students made hostile remarks to the children wearing armbands, but there were no threats or acts of violence on school premises."

(d) "In our system, undifferentiated fear or apprehension of disturbance is not enough to overcome the right to freedom of expression."

Raise the following questions and issues for class discussion:

What might be examples of "constitutionally valid reasons" for school administrators to establish regulations dealing with student expression?

Is statement (b) an expansion or limitation on what the Court is saying in (a)? Explain.

Does the statement (d) mean that school officials can never ban an act on the ground that they believe it will result in disruption or be an invasion of the rights of others? How does the word "undifferentiated" open the possibilities for prior restraint of expression?

# TINKER V. DES MOINES

In 1965, the war in Vietnam was becoming more intense and the debate over U.S. participation was becoming heated. In Des Moines, Iowa. a group of Quakers planned to publicize their views by wearing black armbands during the Christmas holidays. The purpose was to mourn those who died in the war and to bring an end to the war.

John Tinker, his sister, Mary Beth, and Christopher Eckhardt were all students attending Des Moines public schools. John and Chris were in high school, Mary Beth in junior high. In December, 1965, a group of parents and students had met at the Eckhardt home to decide on a plan to publicize their opposition to the Vietnam War. They decided to wear black armbands through the holiday season and to fast on December 16th and 31st. John, Mary Beth and Chris, with their parents, decided to participate in the protest.

When Des Moines high school principals became aware of the plan to wear armbands, they met and adopted a policy that any student doing so would be asked to remove his armband and, if he refused, would be suspended and told not to return to school until he did so. The Tinkers and Eckhardt were aware of this policy but nonetheless, appeared at school wearing armbands. When asked to remove them, they refused, were suspended and did not return to school until after the agreed upon armband-wearing period was over.

The students, through their father, brought suit in a U.S. District Court against the school officials to restrain them from taking disciplinary action against the students.

## "RESULTS AND IMPLICATIONS OF THE TINKER CASE"

On February 24, 1969, Mr. Justice Fortas delivered the majority 7 - 2 decision of the Supreme Court which reversed two lower court decisions on the Tinker Case. The two previous courts found that it was reasonable for school authorities to limit First Amendment rights of students in order to prevent the disturbance of school discipline. The Supreme Court, however, believed that students, and teachers, as all persons, have fundamental rights that, "are not shed at the schoolhouse gate."

In a landmark decision, the court stated that although school authorities need to prescribe and control conduct in the school, they did not possess absolute authority over their students. The fear of disruption, for example, was not enough to overcome the right of expression. In the Tinker Case, there were no facts which might reasonably have led school authorities to forcast substantial disruption of or material interference with school activities. In fact, no disturbances or disorders on the school premises occurred. Further, the principal did not ban the wearing of all symbols, but only a specific one. Therefore, the principal's right to control interfered with the constitutional guarantees of the First Amendment since there was no substantial or material threat of disruptions.

The court stated that any word or act can deviate from another or the accepted majority and therefore, may cause fear, argument or disturbance, should this be justification to limit its expression? The court reasoned that the Constitution cannot be suppressed. The threat of disturbance must therefore be risked. It is more important to guarantee expression and control misconduct than to control individual speech and expression.

The court used the Fourteenth Amendment, as well as the First, to rule against the Des Moines independent community school district. It states that, "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States..." Since the school board is an arm of the state, then the principal's rule against the wearing of black armbands abridged the First Amendment rights of the students in question.

The legal principles set forth in the Tinker decision have had great implications for schools. Do students have the right to express themselves in class on any subject at any time? What kinds of buttons, etc. can or cannot be worn? What can they publish and/or distribute on school premises? How critical can students be of administrators and/or teachers? What school facilities may be used for meetings or the advertising of controversial activities and/or demonstrations? These and other questions will be tested in the years to come.

"RESULTS AND IMPLICATIONS OF THE TINKER CASE"

1. Why did the two lower courts find in favor of the school authorities?

2. Why did the Supreme Court reverse the decisions of the lower courts?

3. Why did the high court believe that the fear of disruption was not enough to overcome the right of expression?

4. What was wrong with the principal banning the black armbands?

5. What amendment was violated in question 4?

6. What did the court reason on the issue of limiting freedom of expression if fear or disturbance may result?

7. What was, therefore, more important of a guarantee to the court than controlling invididual speech and expression?

8. How did the court use the 14th Amendment to find in favor of the Tinkers?

9. List 2 implications of the high court's decision that most interest you. (state in question form.)

## STUDENT ASSIGNMENT

Choose which one opinion below agrees most with your views on the Tinker Case and state why. Which do you disagree with most and why?

1. The school officials cannot prohibit a particualr expression of opinion merely to avoid discomfort and unpleasantness that always accompanies an un-popular view point.

2. "First Amendment rights extend to the cafeteria, the playing field, and the campus. There, too, students may express their opirion on controversial topics."

3. "...would encourage a revolutionary era of permissiveness where students and teachers may use the schools at their whim as a platform for the exercise of free speech."

4. Armbands "took students" minds off their classwork and diverted them to thought about the highly emotional subject of the Vietnam war."

5. "tax payers send children to school on the premise that at their age they need to learn, not touch."

## RULING ON TINKER CASE

## TEACHER RESOURCE

A. The following arguments were rendered by Judge Stephenson at the District Court level:

1. "Unless the actions of the school officials in this connection are unreasonable, the Courts should not interfere."

2. "It was not unreasonable for school officials to anticipate that wearing of armbands would create some type of classroom disturbance."

3. "The school policy infringes on the students' freedom of speech only to a limited extent. They are still free to wear armbands off school premises."

4. "Freedom of speech is not an absolute right and may be abridged by the state under some circumstances."

5. "School officials have responsibility to maintain a disciplined atmosphere in the classroom."

6. The Court held that "the disciplined atmosphere of the classroom, not the plaintiffs right to wear armbands on school premises, is entitled to the protection of the law."

## ALI AND THE SUPREME COURT

The term 'regular minister of religion' means one who as his customary vocation preaches and teaches the principles of religion of a church, a religious sect, or organization of which he is a member, without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

1. According to the Military Selective Service Act, what qualifies a person for a minister's exemption?

2. Is Ali's regular vocation a Muslim minister or a fighter?

3. In June 1967, a federal court ruled that Ali had no grounds for a minister's exemption, fined him $10,000, and sentenced him to five years in prison. After reading the text of the law, do you agree with that decision? Would you need more information to reach your own verdict? If so, what kind of information?

4. What are some of the main ideas of the Black Muslim? Might these ideas have influenced the jury that judged Ali guilty in 1967?

5. How did the Supreme Court rule when they reviewed Ali's case? What was the majority opinion? The minority opinion? With which do you agree? Why?

## ACTIVITY - FREE SPEECH AND YOUTH

The following activity was adapted from a presentation given by Norman Gross of the American Bar Association's Committee on Youth Education for Citizenship and is used here with his permission.

Ray Brown is a senior at Public High School. Ray is black and has been very active in the Afro-American Society during his years at the school which is co-ed and has an evenly balanced racial composition. Ray feels that racism pervades the entire school system and that it is expecially evident in the principal of his school. Below is a list of possible methods by which he could express his concern and dissatisfaction. Indicate if each is legal or illegal.

_____1. Ray is speaking on the corner near the school calling for the end of racism.

_____2. Ray, in front of the school, hands out leaflets to the students as they enter the school. The leaflet, in an obscene and violent manner, accuses the school of racism and characterizes the principal as a racist pig.

_____3. Ray pickets in front of the school with a sign saying "End Racism."

_____4. Ray seeks permission to speak about racism to the student body at a school assembly.

_____5. Ray buys space in the school newspaper to express his views.

_____6. Ray gets up at halftime of a basketball game and begins speaking about racism in inter-scholastic athletics.

_____7. Ray enters the school library and asks for a book on racism in America. When the librarian tells him there is no such book, he sits down and refuses to leave.

_____8. Ray decides to express his displeasure by refusing to speak at any time during the school day.

_____9. Ray comes to school dressed like a five-year-old declaring, "I will not dress like a man until I am treated like one."

_____10. Ray enters the school wearing a black armband to protest its racist policies.

_____11. Ray throws a rock through a window into the school. On it is written the message, "End Racism."

_____12. When the school committee refuses to replace the principal, initiate black studies, or hire more black personnel, Ray puts a bomb under the building and blows it up.

## DOES THE TINKER DECISION APPLY?

**Directions:** Read the story below. Then, using your knowledge of the facts of the Tinker case, the Constitution, and Constitutional law, answer the questions at the end. Be prepared to defend your answers in class.

In a school with a large number of Jewish students, members of the History Club planned to commemorate Adolf Hitler's birthday by wearing Nazi swastika armbands to schoool for one day. When the principal heard of the plan, he ordered it stopped under penalty of suspension. When action was taken against him by the parents of the History Club members, he conceded that he had no reason to believe that the Jewish students would take violent action against those who wore the armbands, but he did feel they would be upset and distracted from their classwork.

**Questions:**

1. Do you think the courts would have upheld the principal's decision in this case? Why or why not? Do <u>you</u> think the students should be allowed to wear the armbands? Why or why not?

2. Suppose a school history club <u>was not</u> involved here. Instead it is a group of students acting upon their own beliefs - beliefs which included admiration for what the Nazis did to Jews in Europe. Would your feelings still be the same? Why or why not?

## TO STRIKE OR NOT TO STRIKE: THAT IS THE QUESTION!

John Sherman was an employee at the Mighty Lemon Car Factory. The factory workers all belonged to a union. Union representatives wanted to organize a strike to protest poor working conditions . Some of their complaints were:

A. No air conditioning: sometimes it got so hot that the assembly line workers would pass out.

B. Dangerous equipment: it was very easy to become seriously injured. There was almost a complete lack of safety devices.

C. Low pay.

D. Poor benefits: vacations, insurance, and sick leave benefits needed to be revised and up-dated.

E. Discrimination: men always received higher salaries than women; men were always the "bosses."

Not everyone in the factory wanted to go out on strike and the tension was mounting. Something had to be done - now!

Directions: We are going to view the prospects of a strike by placing John in a number of situations. Read each situation below. Then, do the following:

A. Tell how you would react if you were John and why.

B. Cite the possible consequences of the action.

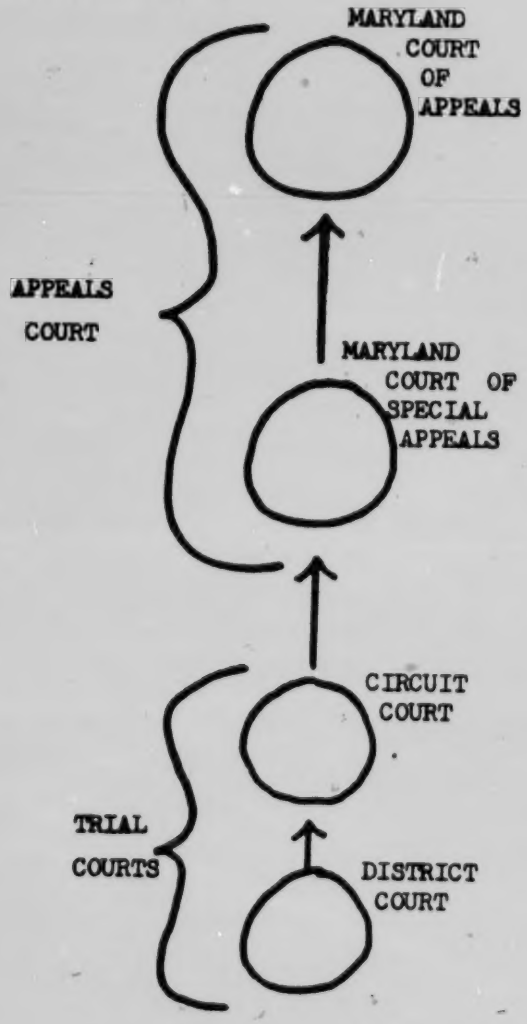
C. Analyze the effectiveness of this method of protest.

| | | |
|---|---|---|
| A. | John is president of the union. He wants to avoid any conflict between labor and management. Therefore, he wants to avoid a strike if possible. John calls a meeting between union reps and management in hope of resolving the problems peacefully to the satisfaction of both. | A. Reaction:<br>B. Consequences:<br>C. Effectiveness: |
| B. | John organizes a picket line in front of the factory. Picketers are carrying signs reading: "Management unfair!" and "Better working conditions for employees." The organizers of the picket line say they will refuse to go back to work until management meets their demands. | A. Reaction:<br>B. Consequences:<br>C. Effectiveness: |
| C. | John decided not to go out on strike with the majority of workers. He did not believe striking was an effective or legal means of protest. When he went to work that morning, angry picketers blocked the entrance. As John approached, several picketers picked up rocks and glared angrily at John. John swallowed hard and kept on walking toward the main entrance. | A. Reaction:<br>B. Consequences:<br>C. Effectiveness: |
| D. | Management and labor held negotiations and seemed to resolve the conflict to the satisfaction of both. However, John and many other factory workers were not satisfied with the plan and decided to strike anyway. Both management and union reps warned them that an illegal strike was dangerous business and the consequences serious. | A. Reaction:<br>B. Consequences:<br>C. Effectiveness: |

| | |
|---|---|
| E. Factory workers, led by John, held a sit-in in the factory cafeteria. They refused to move until management met their demands. Management called the police to handle the situation. | A. Reaction:<br><br>B. Consequences:<br><br>C. Effectiveness: |

## MARYLAND COURT STRUCTURE

The Maryland court system may be considered in three categories: special courts, trial courts, appeal courts:




SPECIAL COURTS

(APPEALS GO TO CIRCUIT COURT)

TEACHER RESOURCE SHEET

I. Types of Cases:

a. Criminal - violations of laws which govern the conduct of people; public concerns such as acts against the state - murder, arson, treason.

b. Civil - violations of laws which control the relations of people with each other in areas out of the state's direct interest; private concerns such as breach of contract.

c. Equity or Chancery - special private problems between individuals such as adoption disputes, contested divorces.

d. Traffic - violations of motor vehicle laws.

II. Description of Courts:

a. District Court - deals with lesser violations of criminal laws (misdemeanors), civil cases involving less than $5,000 and almost all traffic cases. To help with the workload, some district courts, such as in Carroll County, use the sheriff's office to serve papers in civil cases.

b. Circuit Court - has original jurisdiction over more serious criminal cases, civil matters involving more than $5,000 and all equity cases. Jury trials are conducted by circuit court only.

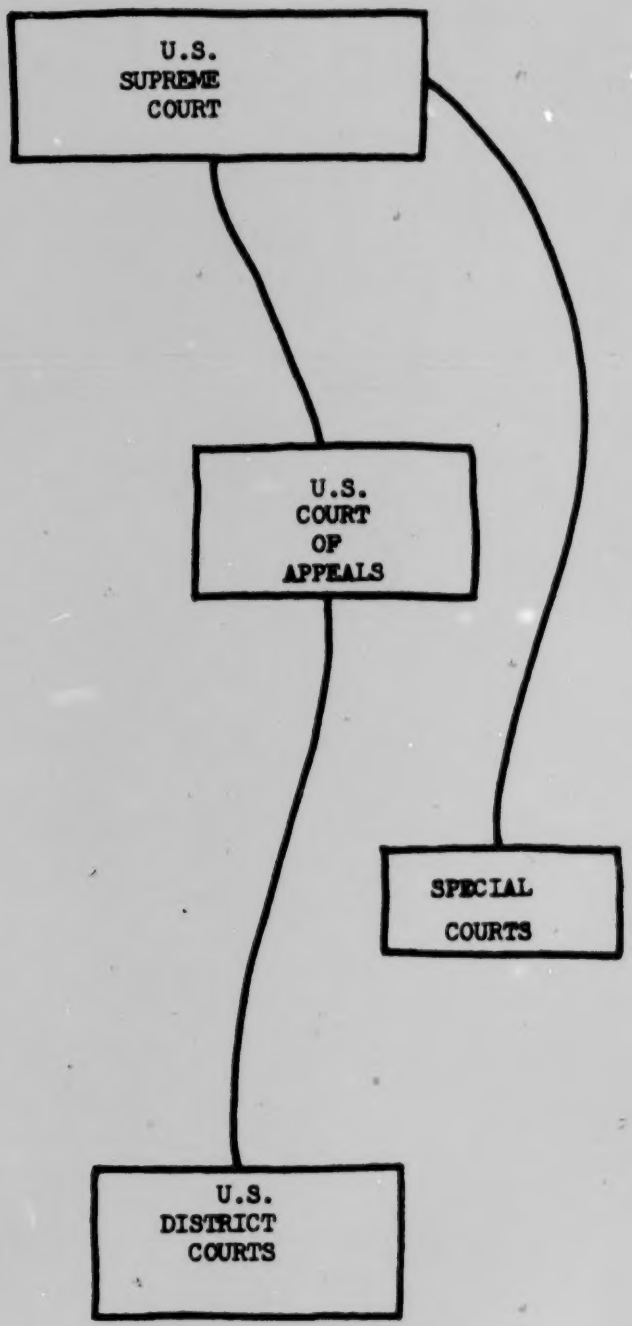
c. Court of Special Appeals - originally established in 1966 to relieve the Court of Appeals of its large burden of criminal appeals. It is an intermediate court and hears every kind of appeal except where capital punishment is involved. (Has 12 judges.)

d. Court of Appeals - highest court in the state of Maryland. It receives appeals from decisions of the Court of Special Appeals or from circuit courts (in capital crimes.) It may refuse to hear appeals if the justices feel it has received adequate treatment in the lower courts. Cases from this court may be appealed to the Supreme Court of the U.S. (Has seven judges.)

e. Orphan's Court - settling of estates of deceased persons and appointments of guardians for their children.

f. Juvenile Court - takes care of all matters regarding juveniles.

## FEDERAL COURTS



## INFORMATION ON FEDERAL COURTS

### TEACHER RESOURCE

**Supreme Court:** Composed of nine Justices, (eight Associate and one Chief Justice). It has original jurisdiction in cases involving ambassadors and cases where states are a party and appellate jurisdiction in cases involving the U.S. Constitution, federal laws, treaties, admiralty and maritime law, the federal government, parties from different states.

**U.S. Court of Appeals:** Eleven judicial circuits, 3 to 15 judges in each. It is equivalent to Circuit courts on state level, and hears appeals from U.S. District Courts.

**U.S. District Courts:** 89 Districts, 1 to 4 districts per state, 1 to 24 judges in each court . It has jurisdiction over cases involving foreign ambassadors, maritime affairs, officials and employees of the U.S. government, Indians, immigrants who are not yet citizens, state v. federal government as well as cases between citizens of different states (amount of suit in excess of $10,000), foreign tourists and matters pertaining to U.S. property and federal law.

**Special Courts:** Includes U.S. Court of Claims , U.S. Court of Customs and Patent Appeals, U.S. Customs Court, U.S. Court of Military Appeals, Tax Court, and Territorial Courts.

## WHICH COURT GETS THE CASE?

Indicate whether each case would go to Federal Court (F), the State Court (S), or Both (B).

1. _____A postman runs over a child and is sued by the child's parents.
2. _____The Canadian ambassador is charged with assault.
3. _____Your teacher is arrested for bank robbery and fleeing to Idaho.
4. _____Bob murders his boss at Random House.
5. _____Linda is being sued for a copyright violation.
6. _____A Russian fishing vessel has been captured one mile off shore.
7. _____Terry, your older brother gets a speeding ticket on U.S. 70.
8. _____A heroin pusher is caught dealing in D.C. and Baltimore.
9. _____You sue a bus driver for damages sustained in an accident.
10. _____Maryland claims that Littlestown belongs to it, not Pennsylvania.

## YOU BE THE JUDGE!

1. Harley Stevens was a minister in a new religious group which advocated human sacrifice as a means of obtaining the favor of its gods. During a church service, Stevens asked for someone to volunteer to be a sacrificial offering and a young woman did so. Stevens performed the ritual rites for the sacrificial ceremony and put her to death. He was arrested and charged with murder.

2. A group of unemployed workers decided to hold a peaceful protest parade on the streets of the state capital. A city ordinance required that a permit be obtained from the proper authorities before any group could hold a parade on the city streets. The unemployed workers did not obtain a permit and carried out their plans to hold the parade. The leaders of the group were arrested and charged with obstructing traffic after they refused to comply with an official's request that they stop the parade.

3. Jerry Reynolds was arrested and charged with the murder of his brother-in-law. During the police interrogation, he was told that the police had an eye witness to the crime and that if Reynolds would sign a confession statement, the prosecutor would recommend that he be given a life sentence rather than the death penalty. Reynolds asked for the opportunity to talk to his lawyer, but his request was denied. Later, after three hours of interrogation, Reynolds agreed to sign a confession. His confession statement was entered as evidence during his trial, and despite the best efforts of his attorney, he was found to be guilty.

4. On a hot, sultry afternoon in southern Mississippi, a patrolman heard very loud rock music. Walking in the direction of the noise, he noticed that it was coming from a hastily constructed sound system which was located in a van parked on a city street. Locating T. Williams inside the van, the patrolman promptly arrested him and charged him with violating a city ordinance which prohibited loud and unpleasant noises.

5. Harold Jenkins was being tried for armed robbery. During the course of the trial, the judge asked Jenkins to explain exactly where he was at the time of the crime. Jenkins refused to answer the question. The angered judge held that Jenkins was in contempt of court.

6. Ray Teague owned a beautiful farm in Western Maryland which he used as a weekend retreat. The farm lay directly in the path of a proposed interstate highway and the government offered to pay Teague the market value of his farm. Teague seriously considered the offer but decided that he would rather keep his farm . Nevertheless, the government forced Teague to sell his farm at the previously offered price.

7. Mr. Jones, a resident of an all-white suburban community, sold his house to a black family. When the neighborhood discovered what he had done, they were very upset. Prior to buying their houses, the residents had agreed to sign a statement which provided that all residents of the community would sell their homes only to whites. The white neighbors of Jones went to court to prevent the black family from moving in. The court issued an order which prevented Jones from selling his house to Mr. and Mrs. Smith, the black family.

8. A Midwestern Board of Education passed a resolution that stated that students and teachers were to salute and pledge allegiance to the flag of the United States every day. The resolution stated further that any student or teacher, because of personal beliefs, could be exempted from making the pledge and the salute upon written request to the Board of Education.

9. Sixty students at George E. Thomas High School held two lunchroom protests against the quality of cafeteria food on two separate days. Eight students were suspended for their participation in the protests. The protests had disrupted the normal operation of the cafeteria. The eight suspended students were informed in writing of the charges against them after they were two days into the five day suspension. The Ohio Board of Education regulations allowed suspension up to fourteen days without any type of hearing. These students, in fact, did not receive a hearing.

10. Jim Johnson was a college dropout and a divorced father of three. Though he had held regular jobs, he had shown slight signs of paranoia by complaining that he was being harassed by unknown people. His father committed him, against Jim's will, to the Florida State Mental Hospital. During his ten yaars at the hospital, Jim received no psychiatric treatment.

YOU BE THE JUDGE!

Amendment 1.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment 2.

A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Amendment 4.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

Amendment 5.

No person shall be held to answer for a capital, or otherwise infamous, crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment 6.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment 7.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

Amendment 8.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment 14.

Section 1. Citizenship defined. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Amendment 24.

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice-President, or for senator or representative in Congress, shall not be denied or abridged by the United States or any state by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

TEACHER RESOURCE

1. This case would not involve a violation of the First Amendment's prohibition of laws interfering with the free exercise of religion. In Reynolds v. United States (1878), the Supreme Court ruled that the First Amendment did not provide protection of conduct which violates the law.

2. This case would not involve a violation of freedom of assembly (First Amendment). Court rulings have upheld the right of municipalities to require permits for parades on city streets. However, the permits could not be denied in an arbitrary or discriminatory manner.

3. According to the Supreme Court's ruling in Escobedo v. Illinois (1964), this case would involve a violation of the suspect's right to have a lawyer. (Sixth Amendment). The Court ruled that the right to have an attorney applies during the period of interrogation after arrest and not just to the actual trial. In Gideon v. Wainwright, the Supreme Court applied the right to counsel to state court proceedings.

4. This case would not involve a violation of the First Amendment's protection of free speech. In Kovacs v. Cooper (1949), the Supreme Court upheld the right of municipalities to ban devices which emit "loud and raucous noises" from the city streets.

5. This case would involve a violation of the Fifth Amendment's prohibition against self-incrimination. That prohibition was applied to the state courts in the case Malloy v. Hogan (1964).

6. This case does not involve a violation of a person's rights. The Fifth Amendment gives the government the right of eminent domain as long as the property is used for the benefit of the public and the owner of the property receives a "just compensation" for it.

7. This case would involve a violation of the Fourteenth Amendment's protection of the right to "equal protection of the laws." In Shelley v. Kraemer (1948), the Supreme Court ruled that state action to enforce private discriminations is a violation of the equal protection clause.

8. This case would not involve a violation of a person's civil liberties because the pledge and salute was made voluntary. However, one could not be compelled to salute or pledge allegiance against his will according to the ruling in West Virginia Board of Education v. Barnette (1943).

9. The Supreme Court in the January, 1975 Goss v. Lopez case decided that this was a violation of the due process rights of the eight suspended students. The court ruled that the Ohio regulation was unconstitutional and that students had a right, before suspension, to an informal hearing, at the minimum, which must include: 1) immediate notice of the charges against them; 2) a summary of the evidence against them; and 3) a chance to present their side of the story.

10. This case does involve an unconstitutional violation of Mr. Johnson's right to liberty. In the July, 1975 Donaldson case, the Supreme Court ruled that every mental patient in the United States, who is held involuntarily, has the right to be either treated or released. The Constitution , ruled the court, prohibits forced imprisonment of untreated patients "...if they are dangerous to no one and can live safely in freedom." In short, a state may not "fence in the harmless mentally ill solely to save its citizens from exposure to those whose ways are different."

## PRESENT SUPREME COURT JUSTICES (JULY 1977)

| | | |
|---|---|---|
| Warren E. Burger | 71 years old... | served 8 years... took seat in June, 1969. |
| William Brennan | 72 years old... | served 20 years... took seat in Oct., 1956. |
| Potter Stewart | 62 years old... | served 18 years... took seat in Oct., 1958. |
| Byran White | 60 years old.. | served 15 years... took seat in April, 1962. |
| Thurgood Marshall | 70 years old... | served 10 years... took seat in Oct., 1967. |
| Harry Blockman | 70 years old... | served 7 years... took seat in June, 1970. |
| Lewis Powell, Jr. | 71 years old... | served 5 years... took seat in Jan., 1972. |
| William Rehnquist | 53 years old... | served 5 years... took seat in Jan., 1972. |
| John P. Stevens | 56 years old... | served 2 years... took seat in Dec., 1975. |

1. Some justices have exceeded 89 years of age. Should there be a mandatory retirement age for these justices? Why or why not?

2. William O. Douglas was a 77 year old justice who had served on the court for 36 years when he resigned his seat in November of 1975. Prior to his resignation he had several severe strokes. If he had wanted to stay, should he have been allowed to remain on the court?

3. Why are the justices appointed for life? should they be?

4. Four of the current justices were appointed by Richard Nixon; are there any dangers in this? Is this a strength or weakness in the selection system?

5. Why would a President want to increase the number of justices from 9 to 15?

6. Does the present group of justices reflect the make up of our countries population? should it?

7. If you were the President, what qualities would you look for in an appointee?

## Kinds of Cases

Directions: Write the word criminal in the blank if you think the crime committed constitutes a criminal case. Write the word civil in the blank if you think the crime committed constitutes a civil case. Be sure you can explain you answer.

1. _____ John and Sue were engaged. John decided he did not want to get married and broke the contract. Sue sued him for breach of promise (verbal contract).

2. _____ The Baltimore Museum of Art burned down last night. Tom was arrested and taken to court. The charge: suspected arson.

3. _____ Ms. Walters, a distinguished Social Studies teacher in Carroll County, was teaching a brilliant lesson on the judicial branch of government when Joe Brown, tired of hearing about "justice for all," crept up behind her and smashed a desk over her head. She was dead on arrival at Carroll County hospital. Joe was arrested and accused of murder.

4. _____ Bill and Jim were out riding their bicycles at midnight. They thought it would be very funny to ride their bikes through grouchy old Mr. Finsters' prize begonias. However, they shouldn't have laughed so loud while doing it, because, much to their dismay, Mr. Finsters woke up, went to his bedroom window, and saw them. He immediately called the police.

5. _____ Pete and Karen had nine children. They had been divorced for one year. Pete had refused to pay Karen the agreed sum of $500 a month for child support for the last two months. In desperation, Karen called the police. A warrant was issued for Pete's arrest.

6. _____ Rodger was a private in the United States Army. He was formerly working on a top secret communications system for the U.S. government. Bored with his job and tired of the low pay, Rodger attempted to sell the top secret information to the USSR. He was caught in the act and arrested.

7. _____ The Gwyn twins, Mic and Mac, were becoming very bored with their summer vacation and decided they needed some excitement. They decided to steal a car and leave Maryland. Florida was their goal. As they entered Georgia, they learned from the radio that an APB was placed for their arrest.

8. _____ Tim had divorced his wife, Betty, over two years ago. Tim, through an act of fate, had custody of their two year old son. Betty decided that Tim was not capable of caring for the small child. She took Tim to court to sue for custody of her son.

## Teacher Answer Key: Kinds of Cases

1. Civil
2. Criminal
3. Criminal
4. Civil
5. Civil
6. Criminal
7. Criminal
8. Civil

## Participants in the trial procedure

Directions: Explain the job or role each of the following individuals performs in a trial.

1. Judge:

2. Prosecuting Attorney:

3. Defense Attorney:

4. Plaintiff:

5. Defendant:

6. Arresting Officer:

7. Witness for the Prosecution:

8. Witness for the Defense:

9. Sergeant at Arms:

10. Clerk of the Court:

## The Supreme Court

**Part I: Matching**

Place the letter of the correct response in the space provided.

| | |
|---|---|
| _____1. Constitutional Law | A - Concerned with violations of public law; includes offenses, misdemeanors, and felonies |
| _____2. Common Law | B - Laws passed by a legislative body and written as documents |
| _____3. Statutory Law | C - Decisions of judges in thousands of cases which have not been recorded as documenting any law but which apply none-the-less |
| _____4. Civil Law | D - The result of decisions made by the Supreme Court. Takes precedence over all other laws |
| _____5. Criminal Law | E - Concerned with acts that affect private individuals or private groups. |

**Part II: True/False**

Write the word <u>true</u> in the blank if you think the statement is true. Write the word <u>false</u> if you think the statement is false.

1. _____ The Supreme Court has original jurisdiction in two kinds of cases: a) cases involving ambassadors and other public figures and b) cases in which a State shall not be a party.

2. _____ It is rare for the Supreme Court to first hear a case.

3. _____ There are seven judges and one chief justice on the Supreme Court.

4. _____ Judicial Review means deciding whether or not a law is Constitutional.

5. _____ The Supreme Court serves as a final Court of Appeals.

6. _____ The Supreme Court can decide whether or not it wants to hear a case.

7. _____ "Docket" is the name given to the physical courtroom of the Supreme Court.

8. _____ The Supreme Court may hear cases involving the federal government.

9. _____ The Supreme Court <u>may not</u> hear cases involving treaties.

10. _____ A Supreme Court decision can never be overturned.

**Part III: Essay**

Using all the information you compiled in class, write a short essay which will explain your views on the following:

> Being a Supreme Court justice is an extremely difficult job.

Be sure to back up all your generalizations with <u>facts</u>. Use examples to illustrate your point whenever possible.

**Part IV: Short Answer**

Briefly explain what is meant by: "the <u>Constitutionality</u> of a law." You may use an example to illustrate your point.

Name _____

Student Answer Sheet: The Supreme Court

Part I: Matching

1. ____
2. ____
3. ____
4. ____
5. ____

Part II: True/False

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Part III: Essay

Part IV: Short Answer

## Teacher Answer Key: The Supreme Court

**Part I: Matching**

1. D
2. C
3. B
4. E
5. A

**Part II: True/False**

1. False
2. True
3. False
4. True
5. True
6. True
7. False
8. True
9. False
10. False (they may overturn their own decision at a later date).

Teacher should judge student answers to Parts III and IV on the basis of information covered in class.

Debrief Sheet for "Democracy"

1. What did a score of +300 or -300 mean?

2. In order to win the game, what kinds of things did you have to do?

3. What was the best deal you made?

4. Was there anything "dirty" about those deals?

5. Why would you abstain from voting on an issue?

6. Did you ever vote against an issue you wanted to see passed? Why?

7. What would you do when playing the game a second time to improve your score?

8. What factors help to explain the failure of other participants?

9. What kinds of things do you think a real representative does in order to be successful?

YOU ARE IN THE SHOES OF SENATOR WILLIAMS:

-HOW WOULD YOU VOTE ON THE DIEGO RESOLUTION?

AND

-WHAT CAUSED OR INFLUENCED YOU TO VOTE THE WAY YOU DID?

1. Your decision—

   Influences—

2. Your decision—

   Influences—

3. Your decision—

   Influences—

4. Your FINAL decision—

   Influences—

1. The delegated powers of Congress are found in Article _____, section _____ of the Constitution.

2. Complete the following briefly: Congress has the power

   a. to lay and collect _____

   b. to borrow _____

   c. to regulate _____

   d. to establish _____

   e. to coin _____

   f. to provide _____

   g. to promote _____

   h. to constitute _____

   i. to define and punish _____

   j. to declare _____

   k. to raise and support _____

   l. to provide and maintain _____

   m. to make rules _____

   n. to provide for calling _____

   o. to provide for organizing _____

   p. to exercise _____

   q. to make _____

3. You now have a list of the seventeen delegated powers of Congress. Pick out the five you consider most important. Explain your choices in a few sentences.

4. Article I, section 9 of the Constitution denies _____ to _____.

5. List five things that Congress cannot do.

   a.

   b.

   c.

   d.

   e.

6. Article I, section 10 of the Constitution denies _____ to _____.

7. List three things that the states cannot do.

   a.

   b.

   c.

8. List five ideas, which to your knowledge are <u>not</u> state law, that Maryland can make into law.

   a.

   b.

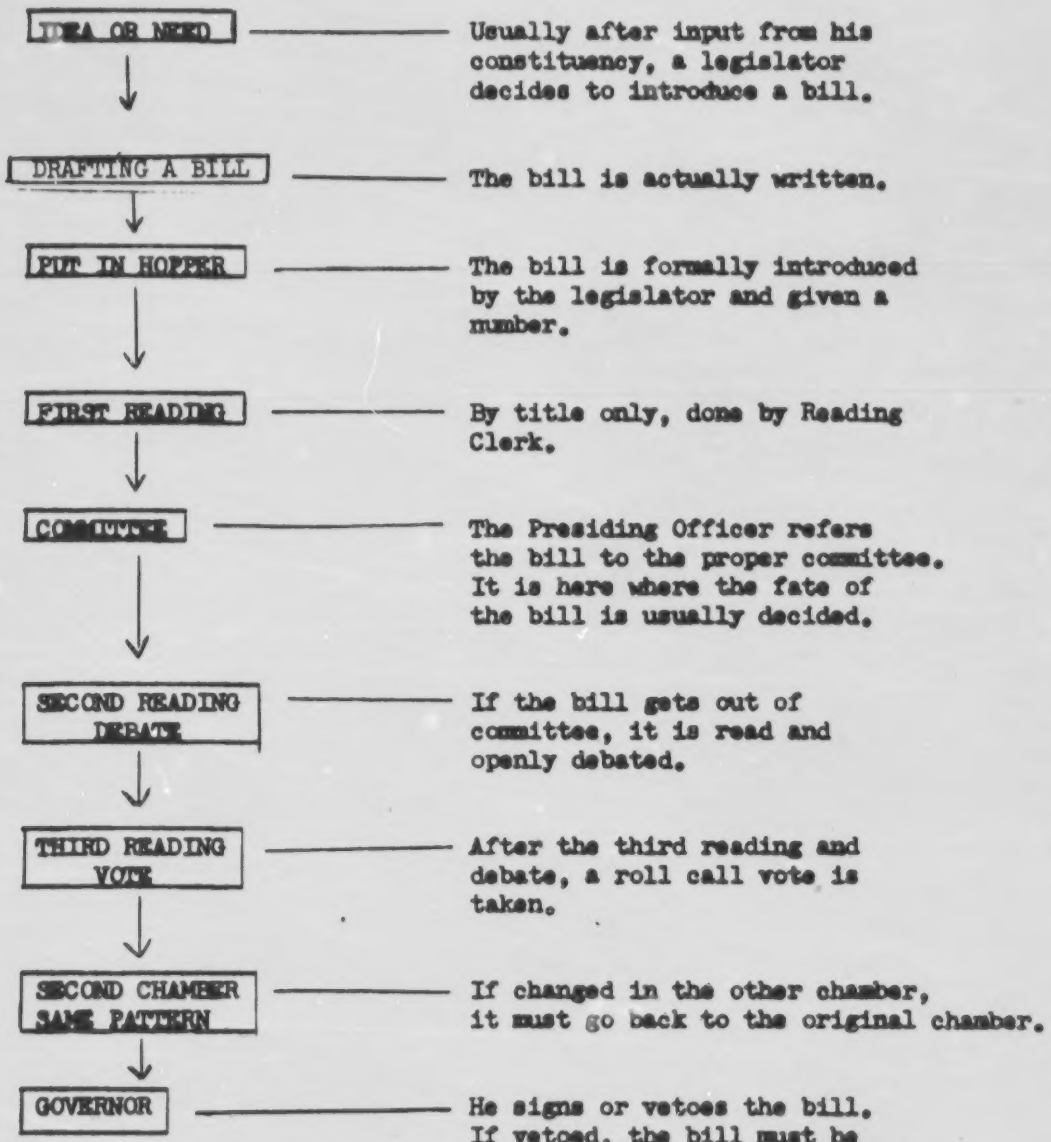
   c.

   d.

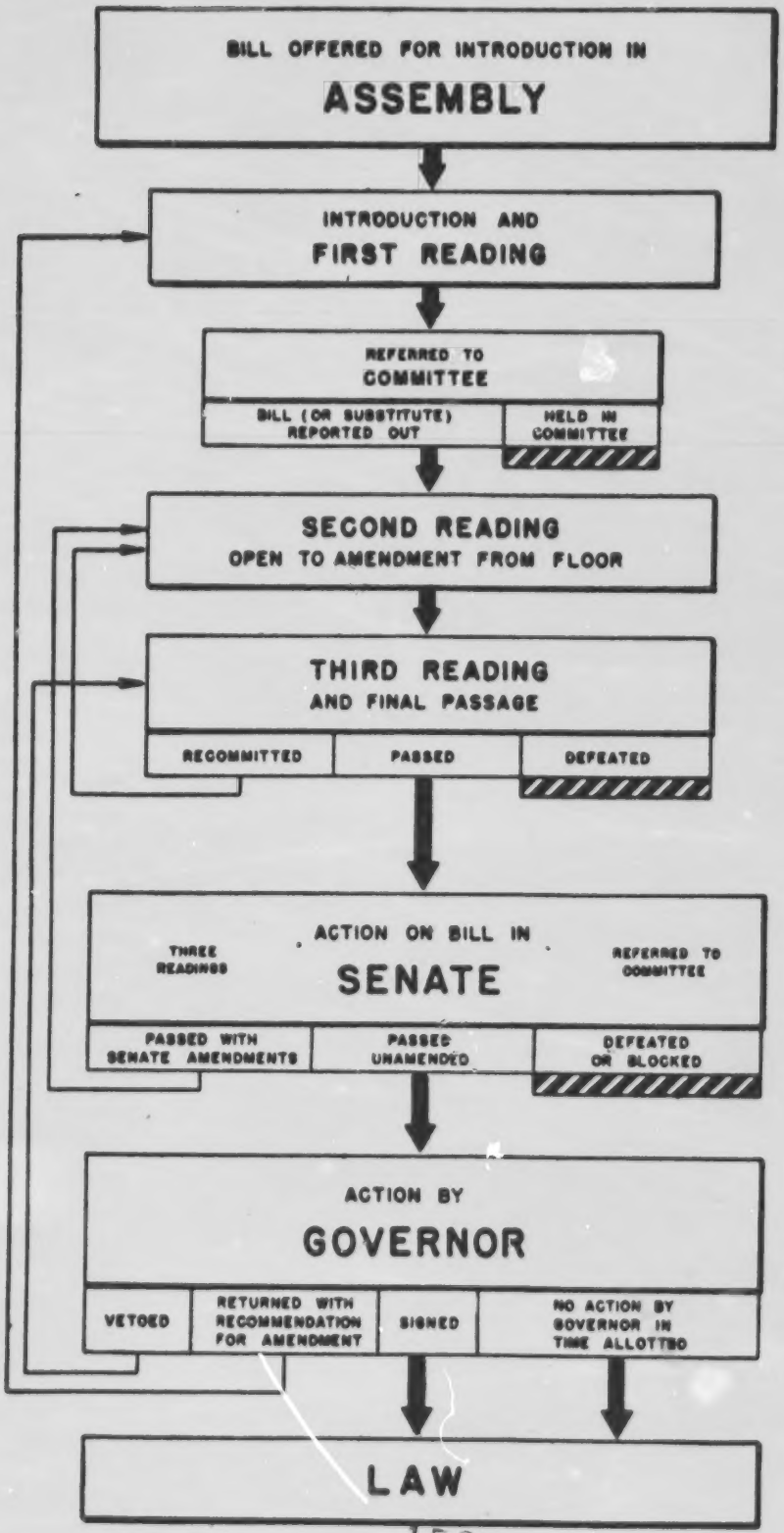
   e.

9. You are now aware that the founding fathers wanted some power granted to both the state and federal governments. You know that they were even specific enough to grant and deny certain powers to each level. Try to recall your 7th grade U.S. History, and write a brief explanation of why this division of power was put into the Constitution.

## How A Bill Becomes A Law


IDEA OR NEED
Usually after input from his constituency, a legislator decides to introduce a bill.
DRAFTING A BILL
The bill is actually written.
PUT IN HOPPER
The bill is formally introduced by the legislator and given a number.
FIRST READING
By title only, done by Reading Clerk.
COMMITTEE
The Presiding Officer refers the bill to the proper committee. It is here where the fate of the bill is usually decided.
SECOND READING DEBATE
If the bill gets out of committee, it is read and openly debated.
THIRD READING VOTE
After the third reading and debate, a roll call vote is taken.
SECOND CHAMBER SAME PATTERN
If changed in the other chamber, it must go back to the original chamber.
GOVERNOR
He signs or vetoes the bill. If vetoed, the bill must be passed by 3/5 vote of all members of both houses to override the veto.

## HOW A BILL BECOMES A LAW



## How A Bill Becomes Law

1. The bill is read in the House of origin at the opening session. ("Read" simply means that the Clerk reads the Number and Title of the bill and the Presiding Officer refers it to Committee.)

2. The bill is discussed in joint committee of the House and Senate to which it is referred. The Committee may endorse the bill as is, modify it, or vote it down. It is reported out of Committee and goes back to the House of origin where it is discussed, amended, and voted upon.

3. If it is passed, it goes to the other House where it is discussed, amended, and voted upon. Any such amendments must be returned to the House of origin before the bill is sent to the Governor.

4. A bill properly passed by both Houses it sent to the Governor for his signature. He may sign or veto it immediately. Should a bill be vetoed, it is returned to the Legislature where it can overrride it by a three-fifths vote of the elected membership of each House.

## So You're a Lobbyist

Lobbyists play a very important role in the lawmaking process. Although they can't actually go onto the floor and debate the bill and vote on it, their behind-the scenes work often affects the fate of bills. They even do some of their work in the lobby—where they got their name! Lobbyists are paid to do their job of influencing legislation, usually by an interest group that has reasons to want certain kinds of laws. Several well-known interests groups are: the National Rifle Association, the American Medical Association, and the American Dairy Association. Now what kinds of laws do you think these three groups would want?

Lobbyists are strictly controlled by the government, to prevent them from using "dirty tricks." However, they do use many powerful means of persuasion to influence the bills: Examples are direct contact with the legislators, campaign contributions, brochures and pamphlets through the mail, displaying posters and signs, small gifts, taking people to dinners and social events, ads in newspaper and on t.v., letter-writing, cross-lobbying (lobbyists helping each other) and actually preparing bills for a legislator to introduce.

Since lobbyists are so important to the lawmaking process, you are going to assume the role of lobbyist. You may use the same kinds of persuasion that real ones do but you must also deal with the same regulations. The regulations are that you must "register" as a lobbyist and identify the groups for whom you work, (you can do this by signing-up on the chalk-board), and you must publish your expense account, including the names of the recipients. Here's the way the prices go:

| | |
|---|---|
| Dinner for two | $60 |
| Ball game, races, or other social event | $50 |
| Campaign contribution | up to $1000 |
| One printing of brochures | $1000 |
| Posters | $500 |
| Ad on tv, radio and in the paper | $1500 |
| Gifts | up to $100 |
| Preparing a bill (secretarial and research fees) | $150 |

You will have an expense account to cover these expenses.

Since you're a paid lobbyist, if you do well in the simulation and influence the bills, you'll be re-hired and get a raise. But if you don't, well, you'll be looking for a new job!

Lobbyist 1: You work for the "Good Old Days" interest group. They pay your salary of $40,000 and expense account of $5,000 to influence bills their way. They want to return to a simpler life style like the country had many years ago. They want to drastically reduce welfare and Medicaid, return to a stricter, more basic education, spend less tax money, and "clean up" government.

Lobbyist 2: You work for "Vigilantes" interest group. They pay your salary of $40,000 and expense account of $5,000 to influence bills their way. They want to take a super-tough and no nonsense approach to solving the crime problem. They favor more rights to the policemen and less to the criminals, tougher punishment for all crimes, mandatory capital punishment, and getting rid of judges who aren't tough enough. They oppose gun control, and want newer, better prisons.

Lobbyist 3: You work for the "Americans for a Cleaner Environment" interest group. Since this is a mostly volunteer group, they pay only a $5,000 salary and expense account of $2,500 to influence bills their way. They want less pollution from industry, more controls on all sources of pollution, stricter punishment for polluters, energy and natural resource conservation, and generally, for more people to be concerned about the environment.

Lobbyist 4: You work for the "Free Economy" interest group. They pay you a $40,000 salary and a $5,000 expense account to influence bills their way. They want to cut taxes so that more people and industries will move into Maryland and to reduce the minimum wage so they may hire more people. They want to eliminate unemployment and prefer that teenagers work less so more adults can have jobs.

Sponsors of Bill

Senate

1 Matthew Cauthorn

2 Pat Martin

3 House

4 Teresa Conaway

5 Sue Arnold

6

of Carroll County YMCA

**MARYLAND STATE**
**YMCA MODEL LEGISLATURE**

Bill No. 92

Introduced
in

Senate or House of Delegates

Date

Legislative Action

Rank in Comm.

Comm. Action

Senate Action

House Action

Governor

**Title of Bill. An Act to:** Provide for the use of prison labor for environmental services.

**BE IT ENACTED by the Youth General Assembly of Maryland,** that prison labor be used for litter clean-up on the state highways.

Section I: Be it further enacted that only prisoners who are eligible to be released within five months and who have maintained good conduct records during their confinements be allowed to apply.

Section II: Be it further enacted that the Wardens of each prison shall submit names of applicants to the State Roads Commission to make the final selection.

Section III: Be it further enacted that the workers be paid the minimum rate of one dollar and sixty cents ($1.60) an hour by the State Road Commission.

Section IV: Be it further enacted that workers shall surrender their earnings to the Board of Corrections, less payroll deductions required by law, to be held until their release, at which time a full accounting be made.

Section V: Be it further enacted the number of workers at any one given time be limited to twenty-five (25), to be increased as the program is expanded.

Section VI: Be it further enacted that it shall be the duty of the Board of Corrections to provide for their guarding and transportation.

Section VII: Be it further enacted that this bill take effect on July 1, 1973.

## PARLIAMENTARY PROCEDURES AT A GLANCE

| TO DO THIS [1] | YOU SAY THIS | MAY YOU INTERRUPT SPEAKER? | NEED A SECOND | IS MOTION DEBATABLE? | IS MOTION AMENDABLE? | WHAT VOTE IS REQUIRED? |
|---|---|---|---|---|---|---|
| Adjourn the meeting | I move that we adjourn | May not interrupt | yes | no | no | majority |
| Recess the meeting | I move that we recess until | May not interrupt | yes | no | yes | majority |
| Complain about noise, etc. | Point of privilege | May interrupt | no | no | no | none |
| Suspend consideration of a motion | I move that we table it | May interrupt | yes | no | no | majority |
| End debate | I move the previous question | May not interrupt | yes | no | no | 2/3 |
| Postpone consideration of a motion | I move we postpone this matter | May not interrupt | yes | yes | yes | majority |
| Have something studied further | I move we refer the matter to committee | May not interrupt | yes | yes | yes | majority |
| Amend a motion | I move this motion be amended by.. | May not interrupt | yes | yes | yes | majority |
| Introduce business | I move that.. | May not interrupt | yes | yes | yes | majority |

1. The motion or points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below it. But you may introduce another that is listed above it.

| TO DO THIS [1] | YOU SAY THIS | MAY YOU INTERRUPT SPEAKER? | NEED A SECOND? | IS MOTION DEBATABLE? | IS MOTION AMENDABLE? | WHAT VOTE IS REQUIRED? |
|---|---|---|---|---|---|---|
| Object to procedure or to personal affront | Point of Order | yes | no | no | no | none - chair decides |
| Request information | Point of info. | if urgent | no | no | no | none - unless objections [2] |
| Ask to verify voice vote by actual count | I call for a division of the house [3] | no | no | no | no | 2/3 |
| Object to consideration of undiplomatic or improper matter | I object to consideration of this question | yes | no | no | no | majority |
| Take up matter previously tabled | I move we take from the table.. | no | yes | no | no | majority |
| Reconsider something already disposed of [4] | I move we now reconsider our action relative to.. | yes | yes | yes, if original motion was debatable | no | majority |
| Consider something out of its scheduled order | I move we suspend the rules and consider.. | no | yes | no | no | 2/3 |
| Vote on a ruling by the chairman | I appeal the chair's decision | yes | yes | yes | no | majority |

1. These motions, points, and proposals listed above have no established order of precedence. Any of them may be introduced at any time - except when the meeting is considering motions to adjourn, to recess or privilege.

2. Then majority vote is required.

3. Division must be called for before another motion is started.

4. Must be made by a person who voted on the prevailing or winning side of the motion that is wished to be reconsidered.

# Not a Bad Lot

*For the conscientious member of Congress, the job is one of the most demanding in public life. Yet no congressional seat has ever gone vacant because no one wanted it. One reason is that the pay, now $57,500, is good. And so are the fringe benefits. Among the compensating comforts are:*

- A $7,000 personal expense allowance for each member.
- Thirty-three round-trips home each year at public expense, plus a minimum of $2,250 or 10% of the total cost.
- A stationery allowance—which can no longer be pocketed—of $6,500 a year.
- Almost unlimited franking privileges to mail official nonpolitical material to constituents.
- Extra postage, called a "constituent communication allowance" of $5,000 a year.
- A telephone and telegraph allowance of at least $6,000 a year.
- Unlimited U.S. telephone calls between 5 p.m. and 9 a.m. weekdays and all day on weekends and holidays for payment of a single small fee.
- An allowance of $255,144 a year to hire staff in Washington and in the home district.
- Free furnished office space in Washington. Free plants and flowers from the Botanic Garden.
- Reimbursed rental for 1,300 sq. ft. of home district office space at the highest local rate, and a $27,000 allowance for furniture and equipment, which belongs to the government.
- Free medical care and drugs provided by the Capitol physician. Low rates at Bethesda Naval Hospital.
- Cut-rate life insurance.
- Special low rates for photographers; use of a professionally staffed radio and television recording studio; $2 haircuts.
- Free use of the research staff of the Library of Congress.
- Generous retirement pay, now being recomputed under the raised salary. Previously as high as $35,680 after 32 years' service, it will be increased.
- Travel gear: one free trunk per session—a holdover from the pioneer past.

DECISION-MAKING AND SENIORITY

The process by which committee chairman are selected in Congress is known commonly as the Seniority System. This method of determining committee heads has long been criticized and recently has come under a concentrated attack.

Under the Seniority System, the person who is now a committee chairman, or is appointed to a committee chairmanship, remains as such until he resigns, is not re-elected to Congress, is found to be in violation of the ethics code, or dies. As a result of this, the majority party in the Congress continually dominates the committees and in the event of need for a replacement, the successor will likewise be from that party, thus assuring an on-going domination by the majority party.

Some of the examples of how this system can lock-in an individual are shown by these statistics. In 1974, half of the thirty-eight congressional committee chairpersons were aged seventy or over. Of this list, three of them were in their eighties. One person, Theodore F. Green, served as chairman of the Senate Foreign Relations Committee, and surrendered this position in 1955 at the age of ninety-one.

Along with the criticisms that relate to "too powerful" and "too devoid of relevance to issues of younger generations" also comes the complaint that this locked-in chairman only represents a small segment of the country - - the district which has elected him for so many terms. Subsequently, he doesn't really have his finger on the pulsebeat of the nation as a whole.

A further hindrance of the Seniority System is in the limited involvement of newer members of Congress. Many of their frustrations are represented by this statement.

> "It was obvious I wasn't going to make any gains. Nobody listens to what you have to say until you have been around for a dozen years. The "old" men have everything knotted up to prevent much effective "new" blood from surfacing in leadership roles. This then would mean that about forty (the number of committee chairmen) members of a total of 435 are calling the shots. Compound this with the fact that most of them are all around 70 or 80 years old."

As stated earlier, the system has long been under criticism. Most recently, in a revolt in the decade of the '70's, literal changes and reforms have been taking place. Such things as replacing the Oldsters with younger people and committee chairpersons selected by secret ballot have surfaced. These can be measured as an indicator of change - - however strong or modest - - at least a change!

Please answer the following questions:

1. The country recently celebrated its 200th birthday. The ideas regarding the Seniority System span that period. How can you explain why it has taken so long for changes to occur?

2. Do you think there are issues other than age in the debate over the Seniority System? Explain your reason.

3. Do you <u>agree</u> or <u>disagree</u> with the system as explained? List your reasons for taking the side which you did.

DEMOCRACY

Directions: Circle the letter or letters of the response(s) which <u>are not</u> characteristics of a democracy.

A. One person, the President, is in complete control of the government.

B. Citizens do not have the right to vote.

C. Citizens are encouraged to actively participate in government.

D. Government of the people, by the people, and for the people.

E. Citizens elect representatives to "speak" for them in Congress.

F. Congressmen are appointed by the President.

G. All men (i.e., people) are created equal.

H. All people are entitled to equal treatment by their government.

I. The people have the final voice and final authority.

J. All citizens of a democracy share "power."

K. People make decisions through their representatives.

L. The average citizen is <u>not</u> allowed to criticize the government.

HOW A BILL BECOMES A LAW

The people in your community are very concerned about the high rate of development going on in the area. Woods are being cleared; wildlife is being destroyed. County government does not seem particularly concerned about the community's feelings and has ignored your requests. A group of residents, who call themselves the "Workers for Wilderness," have decided to go above the county level and contact their State Congressman. After listening carefully to the residents' complaints, the representative feels the situation is serious enough to warrant the introduction of a formal bill into the state legislature. In the space below, list the steps a bill must go through on the state level to become a law. The first has been given for you.

1. Identification of the idea or need.

2.

3.

4.

5.

6.

7.

8.

9.

LOBBYISTS

Part I

Directions: Place the letter of the best response in the space provided.

_____ 1. Although lobbyists cannot actually go on the floor and debate/vote on a bill, they can:

A. legally pay a Congressman to speak for them.
B. affect the fate of the bill through "behind-the-scenes" activity.
C. frighten Congressmen who are considering voting against their wishes.
D. none of the above.

_____ 2. A lobbyists' job is to:

A. influence legislation.
B. influence the President.
C. influence public opinion.
D. none of the above.

_____ 3. Lobbyists are usually paid by:

A. the President.
B. Congress.
C. special interest groups.
D. none of the above.

_____ 4. The tactics which lobbyists may employ are controlled by:

A. the government.
B. the group/person/institution they represent.
C. their tactics are "open"; they can do anything they want.
D. none of the above.

Part II

1. List five (5) "means of persuasion which a lobbyist may use:

A.
B.
C.
D.
E.

2. List three (3) regulations which a lobbyist must follow.

A.
B.
C.

SENIORITY

Directions: Read the statements below. Pick the one that best describes your feeling about seniority and elaborate on it in the space provided.

1. Seniority is a system which, through utilization of the most experienced people, gives power to those who are most capable of using it wisely.

2. Seniority is a system which is biased and unfair and denies the potential of many new members of Congress.

THE DELEGATED POWERS OF THE GOVERNOR

I. Executive Powers

A. He appoints all civil and military officers of the state not otherwise provided for.
B. He supervises twelve key agencies by appointing secretaries to run them.
C. He may use militia in situations involving emergencies, putting down insurrection, or law enforcement.
D. He draws up the state budget.

II. Legislative Powers

A. He may initiate administrative bills.
B. He has veto powers on bills passed by the General Assembly.

III. Judicial Powers

A. He appoints judges when vacancies arise.
B. He appoints members of quasi-judicial boards.
C. He may grant reprieves from death sentences and may remit fines and forfeitures.

THE CARROLL COUNTY COMMISSIONERS

I. Executive Powers

A. Prepare budget
B. Approve departmental budgets
C. Answer correspondence
D. Hire and remove county personnel
E. Act as road board and as such supervise construction and maintenance of county roads and streets
F. Hold meetings with department heads
G. Conduct meetings with mayors of incorporated towns
H. Provide for the collection of taxes
I. Hold public hearings as required
J. Provide for the acquisition and disposal of public property
K. Establish a system of pensions, group insurance and retirement
L. Represent county commissioners on regional council, state associations
M. Provide for appointment to commissions or other boards as required by law.
N. Supervise operation of day to day business of the general county government

II. Legislative Powers

A. Establish zoning regulations
B. Levy taxes
C. Establish dog regulations or ordinances
D. Establish sanitary landfill regulations
E. Adopt building, housing and plumbing codes
F. Adopt a fire prevention code
G. Provide for and approve public recreations, grant use agreements

PRESIDENTIAL SCHEDULE

6 a.m.

6:45

7:15

8 a.m.

9 a.m.

10:30 a.m.

12 Noon

1:15 p.m.

2 p.m.

3 p.m.

3:15 p.m.

5 p.m.

6 p.m.

7:30 p.m.

9 p.m.

11 p.m.

12 Midnight

A DAY IN THE LIFE OF A PRESIDENT

U.S. News & World Report

6:00 a.m. The President arose, spent 20 minutes doing exercises, showered.

7:00 a.m. Breakfast served in second-floor dining room: orange juice, half grapefruit, two English muffins, tea. Read some official documents, "The New York Times," "The Washington Post," then finished dressing.

7:50 a.m. The President gathered briefing papers, left the family quarters for the Oval Office.

8:01 a.m. The President entered his office.

8:06 - 8:25 a.m. Lt. Gen. Brent Scowcroft, deputy assistant for national-security affairs, and a CIA official gave the President his daily briefing on the International situation.

8:28 - 9:04 a.m. Donald Rumsfeld, White House staff head, reported to the President on the senior-staff meeting just concluded, plus other office business.

9:04 a.m. Robert Hartmann, counselor in charge of speeches and politics, entered for his daily conference, bringing material for the President to read.

9:28 a.m. Secretary of State Henry Kissenger came in, joining Mr. Hartmann.

9:42 a.m. Mr. Hartmann left.

9:50 - 10:16 a.m. General Scowcroft joined Mr. Kissinger and the President in the Oval Office.

10:19 - 11:03 a.m. Mr. Ford met with a group of senior advisors to discuss policy prior to Press Secretary Ron Nessen's daily briefing for newsmen. Present were Messrs. Rumsfeld, Nessen, Hartmenn, Counselor John O. Marsh and Max Friedersdorf, White House liaison chief with Congress.

11:06 - 11:59 a.m. The Democratic Chairperson and ranking Republican members of Congressional committees on foreign affairs came to discuss the cutoff of U.S. arms aid to Turkey.

11:59 a.m. - 12:50 p.m. The President met with his top economic advisors, discussing business forecasts, consumer prices, trade. Present were Arthur Burns, Chairperson of the Federal Reserve Board; Secretary of the Treasury William Simon; James Lynn, Director of the Office of Management and Budget; L. William Seidman, White House Economic aide - plus Mr. Marsh, Mr. Friedersdorf and Richard Cheney, deputy assistant to the President.

12:52 - 1:30 p.m. The President met with a visitor whose name was withheld.

1:30 p.m. Mr. Ford ate a light lunch in his small study, just off the Oval Office: cottage cheese with onion and worcestershire sauce, iced tea and a small scoop of butter pecan ice cream.

1:50 - 2:05 p.m. House Majority leader Thomas ("Tip") O'Neill (Dem.) and Representative Silvio Conte (Rep.), both of Massachusetts, brought two associates to discuss the energy situation. Gifts from Bostonians were given to the President.

2:06 - 3:00 p.m. Vice President Rockefeller came in to discuss personnel on the Domestic Council, of which Mr. Rockefeller is to be Vice Chairperson.

3:01 - 3:52 p.m. Four reporters and editors of "The Chicago Tribune" conducted an interview with the President.

4:04 - 4:29 p.m. Invited by the President, Senator Barry Goldwater (Rep.), of Arizona, a leader of the party's "conservative" wing, came in to talk with Mr. Ford.

5:05 - 5:30 p.m. Mr. Ford discussed atomic-energy policy with Senators John Pastore (Dem.), of Rhode Island, and Howard Baker (Rep.), of Tennessee, who deal with nuclear matters. They were joined by General Scowcroft, Mr. Rumsfeld and William Kendall, a White House "lobbyist" with Congress. Charts and maps were displayed.

6:00 - 6:40 p.m. Aide Cheney and Mr. Ford went over a series of memos requiring "Yes" or "No" decisions on upcoming trips, other matters involving the President's schedule. They were joined from 6:25 - 6:30 by Susan Ford, the President's daughter.

6:50 - 7:03 p.m. Two staff members of U.S. News & World Report held an informal conversation with the President.

7:15 p.m. Mr. Ford left his office for the family quarters, stopping briefly along the way to talk to Dr. William Lukash, his physician.

7:30 - 8:30 p.m. The President read in the White House residence, talked to Mrs. Betty Ford and Susan.

8:30 - 9:30 p.m. The Ford's dined at home on calves' liver, mashed potatoes, zucchini and tea.

9:30 - 11:00 p.m. The President watched some television, read more newspapers, signed some official letters and documents.

11:00 - 11:30 p.m. The President watched the late news on television.

11:30 p.m. The President went to bed.

## THE "RIGHT" TO VOTE

ONE OF THE IDEALS OF AMERICA IS THE NEW ENGLAND TOWN MEETING, TRUE PARTICIPATORY DEMOCRACY.

TOMORROW, A TECHNOLOGICAL BREAKTHROUGH IS ANNOUNCED. BY LINKING ALL THE HOMES IN THE NATION TOGETHER THROUGH CABLE TV TO A HUGE CENTRAL COMPUTER, IT IS NOW POSSIBLE FOR EVERY PERSON IN THE COUNTRY TO REGISTER HIS VOTE IMMEDIATELY ON ALL ISSUES PRESENTED TO HIM. IT IS PROPOSED THAT CONGRESS BE CHANGED IN FUNCTION, AND THAT THE PRESIDENT PRESENT ALL PROPOSALS DIRECTLY TO THE AMERICAN PEOPLE FOR VOTING WITH RESULTS AVAILABLE IN A FEW HOURS.

ANSWER THE FOLLOWING QUESTIONS YOURSELF, AND THEN ASK THEM OF YOUR CLASSMATES, TEACHERS, AND PEOPLE OUTSIDE OF SCHOOL:

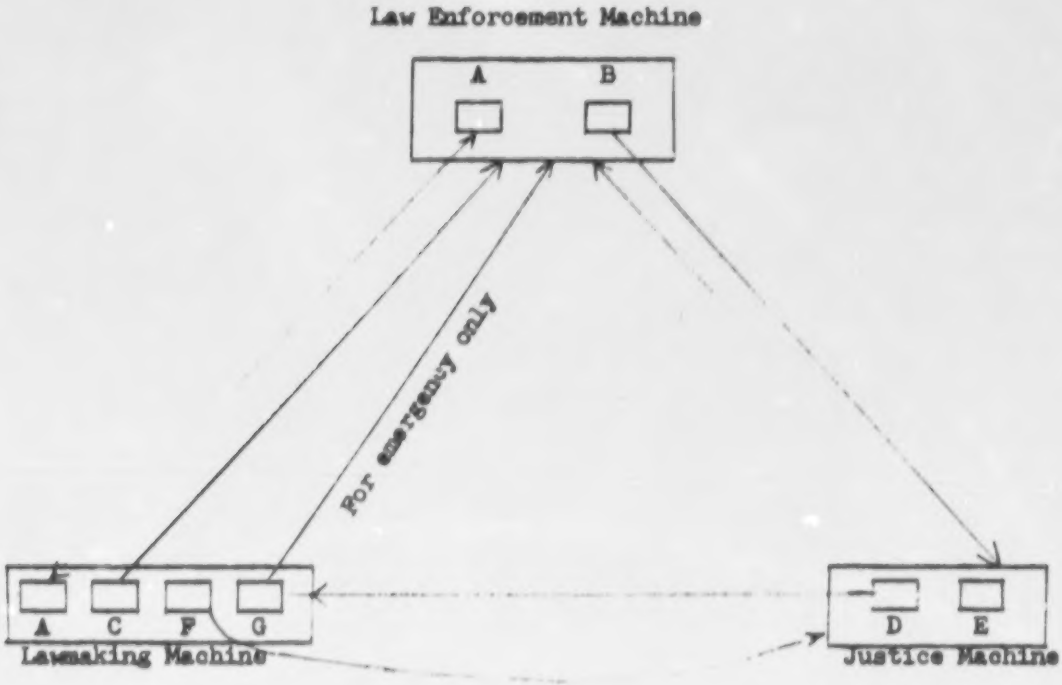
1. Would you like to be consulted on all matters of national policy? Why?
2. Would you like to be consulted on all the affairs of local government? Why?
3. When you would need more information to decide a stand on an issue, where would you turn for it?
4. Do you think such a system would lead to true participatory democracy? Why?
5. Do you think most people would vote fairly regularly? Why?
6. Do you think most people would vote on the basis of mature judgement? Why?
7. Do you think the ideal of separation of powers could be preserved? How? What problems do you foresee?
8. Would we end up with <u>more</u> or <u>less</u> democracy as a result of becoming a super-enlarged New England Town Meeting?

COMPILE THE RESULTS OF YOUR QUESTIONNAIRES. WHAT COULD HAPPEN IF TECHNOLOGY CALLS OUR BLUFF BY MAKING THE IMPOSSIBLE POSSIBLE - - AN IDEAL A REALITY?

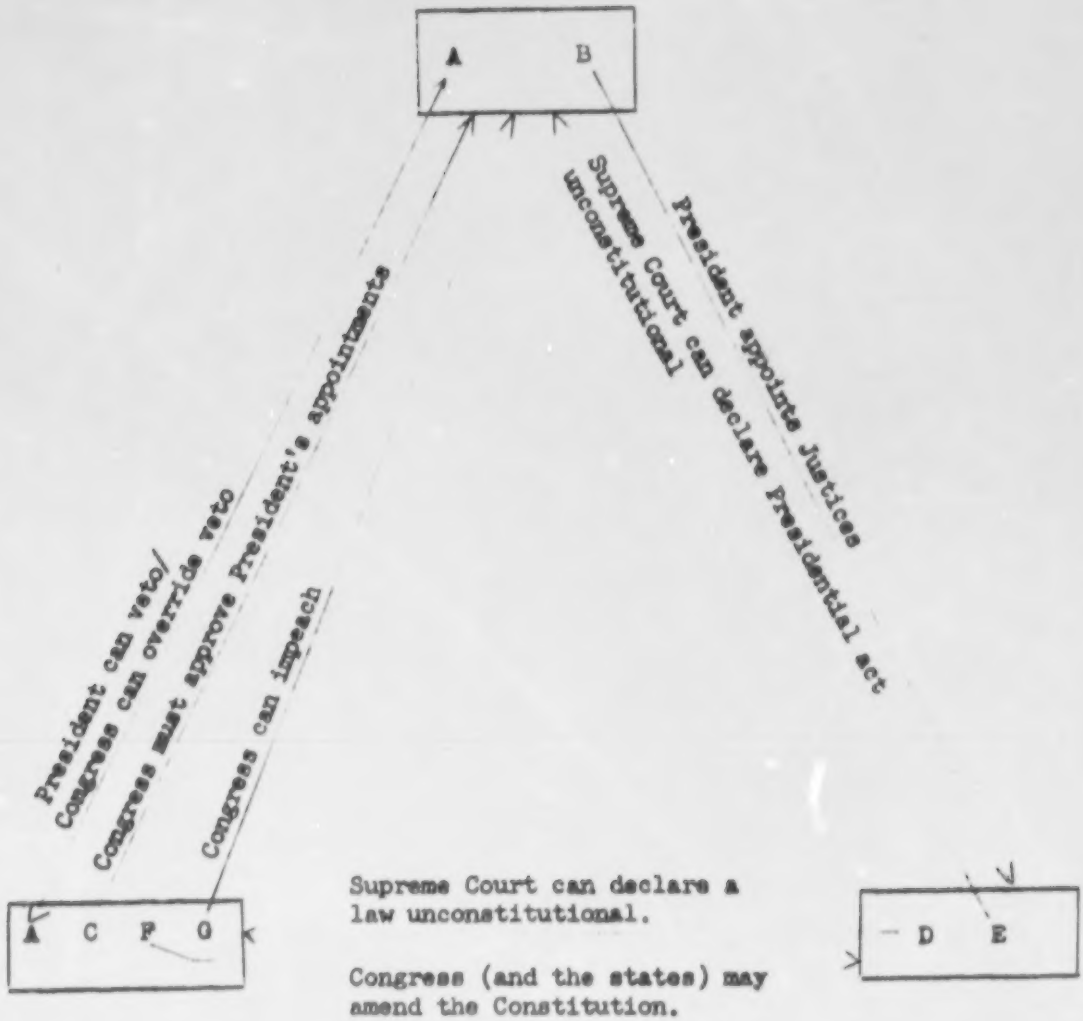
CHECKS AND BALANCES: WHO CAN THROW THE

SWITCH ON THE OTHER GUY'S MACHINE?

Instructions: Each branch of government has some power to "throw the switch" on the other branches. From the reading, find a description for each power and put it on the right "wire." The arrows indicate which way the "power" travels.



TEACHER RESOURCE: ANSWER KEY




Supreme Court can declare a law unconstitutional.

Congress (and the states) may amend the Constitution.

WHICH BRANCH HAS THE POWER?

For each situation below, identify the branch of government that has the power to "check" it by putting the right initial

E = executive (President)
L = legislative (Congress)
J = judicial (Supreme Court)

_____ 1. A President, government official or judge bribed someone.

_____ 2. The President appointed an unqualified official.

_____ 3. The Congress passed an unconstitutional law.

_____ 4. The President vetoed a law.

_____ 5. A Supreme Court justice retires.

_____ 6. A Presidential act is unconstitutional.

_____ 7. The Supreme Court interprets the Constitution, but the country doesn't agree.

Now that you've got the idea, add three of your own . . .

_____ 8.

_____ 9.

_____ 10.

ALICE IN WATERGATE LAND

Spiro Agnew

Howard Baker

W. Matthew Byrne

Charles W. Colson

Archibald Cox

Samuel Dash

John W. Dean III

John Ehrlichman

Sam Ervin

Gerald Ford

Leonard Garment

L. Patrick Gray

Daniel Ellsberg

Alexander Haig

H. R. Haldeman

J. Edgar Hoover

E. Howard Hunt

Henry Jackson

Leon Jaworski

Herbert Kalmbach

Edward Kennedy

Egil Krogh

Richard Kleindienst

The whole series of events in the United States known as "Watergate" will be talked about for years to come. Commentators have raised many issues that they see as being the crucial problems involved. Some issues concerning Watergate are listed below. Maybe you can think of others. Rank the issues from 1 (most serious) to 10 (least serious) as you see them.

_____ dishonesty

_____ invasion of privacy

_____ unfair press coverage

_____ political dirty tricks

_____ excessive power

_____ excessive loyalty

_____ covering up crimes

_____ revealing government secrets

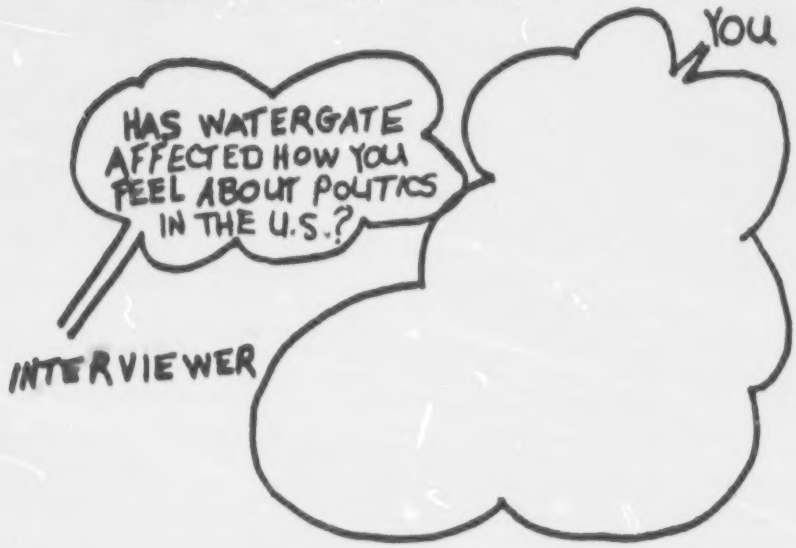
_____

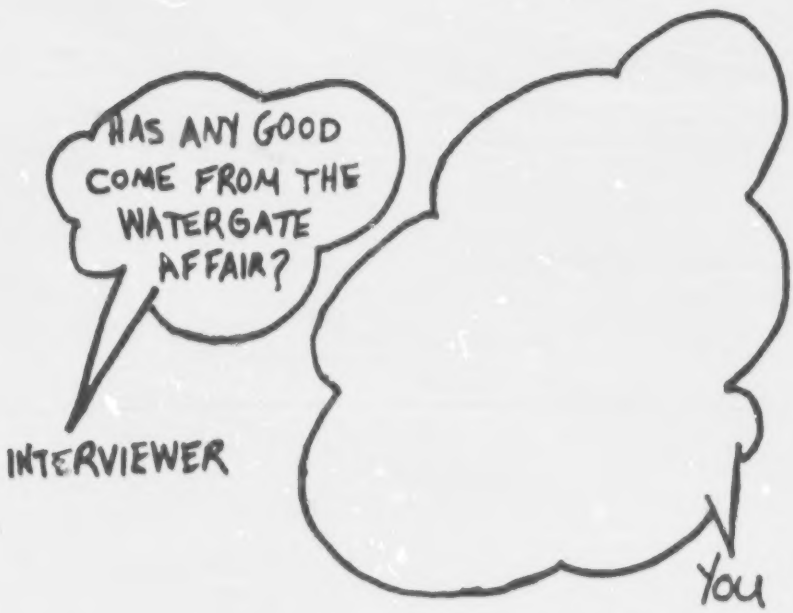
_____

Look at the list of names on these two pages. All of these people have been mentioned in some connection with Watergate.

Of all these people, whom do you respect the most?

Whom do you respect the least?




Frederick LaRue

G. Gordon Liddy

Jeb Stuart Magruder

Eugenio Martinez

James McCord

George McGovern

John Mitchell

Martha Mitchell

Joseph Montoya

Edmund Muskie

Richard Nixon

Henry Petersen

Elliot Richardson

William Runckelshaus

Anthony Russo

Donald Segretti

John J. Sirica

Maurice Stans

Herman Talmadge

Fred Thompson

Lowell Weicker

Rose Mary Woods

Ronald Ziegler

*"You're Not Abnormal-Watergate Has EVERYONE Up The Wall!"*

The Sun, August 6, 1974

Answer the following questions briefly:

1. Who is the man seeking advice from the psychiatrist? What does he represent?
2. Why is he seeking advice?
3. What does the caption mean?

THE EXECUTIVE BRANCH

Directions: Place the letter of the best response in the space provided.

Part I - Multiple Choice

_____ 1. Which of the following is not a factor in influencing executive decision-making?:

A. Media
B. Public opinion
C. Congress
D. All of the above
E. None of the above

_____ 2. Constituents are:

A. Advisors to the President
B. Elected officials
C. The group of people a candidate represents
D. All of the above
E. None of the above

_____ 3. The U.S. Supreme Court is to the Maryland State Supreme Court as:

A. Officials are to constituents
B. The President is to the governor
C. Congress is to the Judicial Branch
D. All of the above
E. None of the above

_____ 4. Which of the following is not an example of the President's Constitutional powers?:

A. Commander-in-chief
B. Chief of the party
C. Chief executive
D. All of the above
E. None of the above

_____ 5. Which of the following is an example of the Governor's delegated powers?:

A. Appoints secretaries to twelve key agencies
B. Draws up state budget
C. Initiates administrative bills
D. All of the above
E. None of the above

____ 6. Which of the following <u>is not</u> an example of the delegated powers of county commissioners?:

A. Levy taxes
B. Prepare bills to present to Congress
C. Prepare budget
D. All of the above
E. None of the above

____ 7. Which of the following is an example of a role the President plays which <u>is not</u> a provision of the Constitution?:

A. Voice of the people
B. Manager of Prosperity
C. Leader of the "Free World"
D. All of the above
E. None of the above

____ 8. Which of the following is an example of the governor acting as <u>chief legislator</u> of the state?:

A. Vetoing a bill passed by the general assembly
B. Appointing judges when vacancies arise
C. Drawing up the state budget.
D. All of the above
E. None of the above

____ 9. Which of the following is an example of the governor acting as <u>chief executive</u> of the state?:

A. Vetoing a bill passed by the General Assembly
B. Appointing judges when vacancies arise
C. Drawing up the state budget
D. All of the above
E. None of the above

____ 10. Which of the following is an example of the governor exercising <u>judicial power</u>?:

A. Vetoing a bill passed by the General Assembly
B. Appointing judges when vacancies arise
C. Drawing up the state budget
D. All of the above
E. None of the above

____ 11. A "role" is:

A. Something you buy in a bakery
B. A seat in congress
C. A special way of behaving
D. A legislative decision
E. The Supreme Court's ruling

____ 12. Which of the following <u>is</u> <u>not</u> a Constitutional requirement for the Presidency?:

A. Must be a natural born citizen
B. Must be thirty-five (35) years of age
C. Must have been a U.S. resident for fourteen years
D. All of the above
E. None of the above

____ 13. There is no Constitutional provision for:

A. The Presidency
B. The Supreme Court
C. The two-party System
D. All of the above
E. None of the above

____ 14. In this country, a third party candidate for President would:

A. Have a fair chance of winning, but it would be unlikely
B. Be arrested for breaking the law
C. Have a seat in Congress
D. All of the above
E. None of the above

____ 15. An example of a member of the President's cabinet would be:

A. A Senator
B. A Congressman
C. The Secretary of State
D. The Chief Justice of the Supreme Court
E. The minority whip of the U. S. Senate

Part II - Short Answer

1. List three "unwritten rules" for being President.

a.

b.

c.

2. Pick one of the "tough" executive decisions that we discussed in class and explain why it was so difficult.

3. Support or refute the following: The average American citizen should have a say in important decisions made by the President.

4. Finish this statement (in a short paragraph): I think a great President is:

5. List three guidelines to follow when judging a President.

   a.

   b.

   c.

6. Define the system of <u>checks and balances</u> and briefly explain how the system operates.

Name _____

STUDENT ANSWER SHEET

THE EXECUTIVE BRANCH

**Part I: Multiple Choice**

1. ____
2. ____
3. ____
4. ____
5. ____
6. ____
7. ____
8. ____
9. ____
10. ____
11. ____
12. ____
13. ____
14. ____
15. ____

**Part II: Short Answer**

1. a.

   b.

   c.

2.

3.

4.

5. a.

   b.

   c.

6.

DEMOCRATIC OR REPUBLICAN - - IS THERE A DIFFERENCE?

You will study the platforms of the two political parties. The questions below are designed to provide you with a means of seeing the differences and similarities of the two parties.

Read the platforms completely through before attempting to answer the questions.

1. What do the two parties see as the role of government in the area of jobs?

2. Both parties make a statement concerning National Health Insurance. What are their positions?

3. The platforms mention, under the topic of labor, who they feel can strike. Do they agree or disagree? Explain.

4. What are the views of the two parties regarding the issue of busing?

5. In which areas do each of the parties seek to cut spending?

6. In which areas do they advocate spending more money?

7. List phrases used by both parties which are so general they really are hard to disagree with.

8. List areas which you feel the two platforms reflect agreement on.

9. List five statements each party makes you disagree with.

10. List five statements each party makes you can agree with.

# POLITICAL PARTY PLATFORM

During the simulated election, the student parties will be required to formulate individual platforms. Contained below is a sample platform to be used as a representative model.

PREAMBLE - "The people are cynical about the idea that a rosy future is just around the corner . . . They feel that the government is run for the privileged few rather than for the many--and they are right . . . We want to speak for, and with, the citizens of our country . . ."

COMMUNITY DEVELOPMENT - "We strongly oppose the use of housing or community development programs to impose arbitrary housing patterns on unwilling communities. Neither do we favor dispersing large numbers of people away from their homes and neighborhoods against their will."

LABOR - "We will continue to search for realistic and fair solutions to emergency labor disputes, guided by two basic principles: first, that the health and safety of the people should always be paramount; second, that collective bargaining should be kept as free as possible from government interference."

WOMEN - "We pledge a priority effort to ratify the Equal Rights Amendment, to encourage the availability of maternity benefits to all working women, and to permit working families to deduct from gross income, as a business expense, all housekeeping and child care costs. And we pledge the appointment of women to positions of top responsibility, including the Cabinet and the Supreme Court. And we finally pledge that the Federal government will fund comprehensive, developmental child care programs that will be family-centered, locally controlled, and universally available."

LAW ENFORCEMENT - "We pledge to intensify efforts to prevent criminal access to all weapons, including special emphasis on cheap, readily obtainable handguns, and at the same time, to safeguard the right of responsible citizens to collect, own and use firearms for legitimate purposes, including hunting, target shooting, and self-defense.

DEFENSE - "We will insist on the firm control of specific costs and projects . . . The military budget can be reduced substantially with no weakening of national security."

AMNESTY - "We state our firm intention to declare an amnesty, on an appropriate basis, when the fighting has ceased and our troops and prisoners of war have returned."

HOUSING - "We pledge to overhaul completely the Federal Housing Administration to make it a consumer-oriented agency, and to use the full faith and credit of the Treasury to provide direct, low-interest loans to finance the construction and purchase of decent housing."

LABOR-MANAGEMENT - "We oppose the Administration's effort to impose arbitration in transportation disputes."

**Source:** Student Simulated Election by Barry Lefkowitz

MOCK CONVENTION, TEACHER RESOURCE

Step 1: Responsibilities of Participants

a. Candidates

Select pupils from the class to represent the leading contenders for the party's nomination for President. These pupils will research the views on the issues of the candidates and prepare a 2-5 minute campaign speech presenting the views of the candidates. The pupil candidates will do further research on their chosen candidate and prepare campaign speeches.

Candidates will also prepare an acceptance speech in case they are nominated.

Debates on the issues between candidates should be arranged by the teacher.

Candidates should also prepare withdrawal statements in which they accept the democratic process and throw their support to a winning candidate.

Each of the mock candidates should select a campaign manager.

b. Campaign Manager

The campaign manager will aid the candidate and prepare a biographical sketch to be presented to the class. The campaign manager should also:

prepare an introductory speech for the political rally

form a committee (4 people) to run the campaign

select persons to give nominating and seconding speeches

plan the convention demonstration utilizing posters, banners, campaign songs, campaign slogans, and music

plan to introduce the candidate before he gives his speech.

**From "Contemporary America," 9th Grade Social Studies Curriculum Guide for Baltimore County.**

c. Keynote Speaker

Three people in the class should prepare a Keynote Address. The best person should be selected to deliver the opening speech at the convention.

d. Platform Committee

Research and write a realistic party platform and present to the convention.

e. Campaign Committee

Prepare bulletin board display

Prepare posters for classroom

Prepare banners for demonstration

Prepare other publicity materials (hats, buttons, symbols, etc.)

Step 2: While pupils are participating in the various activities and roles of the mock convention, have other members of the class do research on developments within the other party's convention. Some possible topics should be:

The Leading Contender for the Nomination

Other Contenders for the Nomination

The Race for Vice Presidential Nomination

The Youth Vote

Public Opinion Polls

Maryland Primaries

Other State Primaries (Pupils might prepare a map and record dates of primaries)

Campaign Slogans and Songs

Campaign Spending (An excellent topic for extending economic understandings)

Television Coverage of the Campaign

The Role of the National Committee Chairman

Favorite Son Candidates

Daily News Broadcasts of Elections

Write a platform for the Party

Step 3: Divide the class into groups of varying size. Each group will represent one state. Make sure that the states most likely to nominate candidates are included. Have state delegations caucus on the day before the convention and fill in the following sample official ballot:

SAMPLE OFFICIAL BALLOT

_____ STATE

_____ CHAIRMAN

_____

_____

_____

_____

_____

_____

The chairman of the state delegation announces the results when his state is called by the convention.

Step 4: Conduct the mock convention. As each candidate presents his speech use the following criteria to evaluate the speeches

| | |
|---|---|
| Content | 1 - 5 points |
| The speech shows knowledge of the viewpoint of the candidate on the issue. | |
| Clarity of presentation | 1 - 3 points |
| The ideas are well organized around a central idea. | |
| Quality of delivery | 1 - 3 points |
| The voice is pleasant and delivery enthusiastic. | |

Before conducting the convention by using the convention agenda provided, select pupils to play specific roles, (  ) in the Convention agenda should be filled in with the name of the specific pupil assuming that role. The word "party" has been used in place of either Democratic or Republican. Insert the appropriate party name. Any pupils not assigned specific roles for the convention will assume the role of a delegate to the convention.

## CONVENTION AGENDA

**Chairman:** (Using gavel to get attention.) The Party Nominating Convention will come to order. Will all delegates rise for the singing of the National Anthem. (Assigned student will play recording of the National Anthem.) Ladies and Gentlemen, the Party National Committee is happy to welcome you to this auditorium. There is no doubt that before we finish our work here we will have nominated the next President of the United States.

Our first order of business will be our keynote speech. As usual, the keynote speaker will review the history and great achievements of the Party. It is with utmost pleasure that I present to you that great (lady, gentleman) of the Senate, the pride of the state of (  ), Senator (  ).

**Keynote Speech presented.**

**Chairman:** Thank you, Senator (  ). Our next item of business is the reading of the party platform, which has been prepared for this convention by a committee composed of (  ) will now turn the chair over to Delegate (  ).

(Check with platform committee to see if one delegate will introduce the next person, or if the chairman should introduce each.)

**Chairman:** I move that the platform be accepted as read . . .

(After vote on platform)

Now fellow Party members, we are ready to tackle our most important item of business, choosing our candidate for the Presidency of the United States. States will be called in alphabetical order. If a state wishes to pass, will the chairman please signal to the platform. If a state wishes to yield or nominate, kindly come to the microphone when your state is called.

Nominating Order

**Chairman:** Does the state of Alaska desire recognition? (A signal of yes.)

**Chairman:** The chair recognizes the chairman of the Alaskan delegation, (  ). (  ) The State of Alaska yields to the State of _____.

**Chairman:** The chair recognizes the _____(name of state) delegate, (  ). Nominating speech for Candidate, Demonstration, Call to Order.

**Chairman:** For the purpose of a seconding speech, the chair recognizes Delegate, (  ) of the State of _____(same state that nominated candidate.)

**Chairman:** Does the State of Arizona desire recognition? Arizona passes. The above procedure is followed until all states have had an opportunity to pass, yield, or nominate candidates. See a following section "The Convention" for possible order.

**Chairman:** The convention will now recess for five minutes to give state delegates time to caucus and cast their votes for the Party Presidential Nomination.

**Chairman:** Will the convention come to order!

We will now begin to roll call the states. When called, will the chairman of the state delegation come to the microphone to announce the results of the balloting.

Roll Call of States

Chairman will give vote over microphone and present the score to official scorer. There will also be a chalkboard score kept.

**Chairman:** At the end of the roll call, will the Official Scorer announce the result of the balloting?

If a candidate has a majority, declare him the winner. If not, call for a five minute recess for another state caucus. During this time, the candidate with the fewest votes will be encouraged to withdraw.

Begin another roll call of the states. Continue caucusing and voting until one of the candidates wins a majority.

Chairman: Ladies and Gentlemen of this convention, I give you the next President of the United States, _____.

Acceptance Speech

Chairman: All business, having been completed, the (year) Party National Convention, is hereby brought to a close.

THE CONVENTION

(The following order of convention events is presented as a guide.)

Record of Star Spangled Banner

Welcome by Chairman

Keynote Speech

Platform Committee Report

Nominating Procedure

Alaska yields to Iowa
Iowa nominates _____
Demonstration for _____
Seconding speech for _____

Arizona passes
Colorado yields to Indiana
Indiana nominates _____
Demonstration for _____
Seconding speech for _____

Delaware passes
Hawaii nominates their favorite son candidate _____
Demonstration for _____
Seconding speech for _____

Maine nominates _____
Demonstration for _____
Seconding speech for _____

Massachusetts nominates _____
Demonstration for _____
Seconding speech for _____

Minnesota nominates _____
Demonstration for _____
Seconding speech for _____

PARTIES AND ELECTIONS, Guide Questions

For the next week or so, you will be trying to imitate the process by which a President is elected. As you become involved in this experience, keep the following questions in mind:

What are some needs of the candidate?

How does his party help him to fufill these needs?

What are several tactics and strategies parties use to win elections?

Which of these would you consider fair? unfair? Why?

In what ways do parties help voters make a wise choice?

After playing the game, these questions will be used for a debriefing session.

CAMPAIGN STRATEGIES

"Noland Dixon, the Governor of New Hampshire, feels that he is qualified to become President. He has concentrated, during his two terms as governor, on such issues as lowering taxes, improving education, and establishing strict gun control legislation. Mr. Dixon is not a particularly effective speaker although he is a very sincere individual with a thorough knowledge of public issues who relates well to small groups of people. Mr. Dixon is a war veteran who is described as physically unattractive but makes a good appearance on television. He recently has received national publicity because of his attempts to reform the state government.

Your public relations firm has been asked to advise Mr. Dixon on his strengths and weaknesses as a potential Presidential candidate. He has asked you to give him a report in which you outline the specific steps necessary for him to win the nomination and the election for the Presidency. Your Report should take the following form:

Mr. Dixon's Plan of Action for Becoming President

WINNING NOMINATION

| Necessary steps | Personal strengths and weaknesses | Techniques to be used |
|---|---|---|
| Enters key primaries | Relates well to small groups | (To emphasize strengths or offset weaknesses)<br><br>Visits to shopping centers to talk with small groups |

WINNING ELECTION

| Necessary steps | Qualities Mr. Dixon need to win | Techniques to be used |
|---|---|---|
| Wins party nomination | Has orgainzed staff | (To emphasize strengths or offset weaknesses)<br><br>Use of television |

VOTER'S REGISTRATION

Name: _____

Residence: _____

_____

Community In Which You Reside: _____

Place of Birth: _____

Date of Birth: _____ Age: _____

Sex: _____ Male _____ Female

Residence in Maryland: _____ Years _____ Months

Party Affiliation: _____

Date of Registration: _____

Precinct: _____

VOTER REGISTRATION CARD

Name: _____

Address: _____

Party Affiliation: _____

Date of Registration: _____

Precinct: _____

_____

Registrar's Signature

ATTAINMENT OF VOTING RIGHTS BY MINORITY GROUPS

| YEAR | GROUP | LEGISLATION (AMENDMENT) |
|---|---|---|
| 1791 | White Land-Owning Males | Articles of Confederation |
| 1812-on | White Non-Land Owning Males | State-by-state Repeal of Property Qualification<br>Nation-wide |
| 1920 | Black and Indian males | 15th Amendment |
| 1920 | Women | 19th Amendment |
| 1971 | 18-Year-Olds | 26th Amendment |

# IF NOT BY STATUTE -

# THEN BY AMENDMENT ?

Since the 1970 Voter Rights Act gave the eighteen-year-old the vote in national elections only, Congress, in an effort to enable the eighteen-year-old to vote in all elections, proposed the following amendment (26th) to the U.S. Constitution.

THE 26th AMENDMENT TO THE

CONSTITUTION

"The right of citizens of the United States, who are 18 years of age or older, to vote shall not be denied or abridged by the United States or by any state on account of age."

**Suggestions for further study and discussions**

The 26th amendment will open the door for approximately 11 million 18-21-year-olds in the 1972 election.

1. What other Constitutional amendments brought newly enfranchised voters to the polls?

2. How is the U. S. Constitution amended?

COMPARATIVE VOTING TURNOUT IN THE PRESIDENTIAL ELECTION OF 1972 OF DIFFERENT GROUPS IN THE AMERICAN SOCIETY

| | Group | Percent in Each Group Who Voted in the 1972 Presidential Election |
|---|---|---|
| Sex: | Male | 64 |
| | Female | 62 |
| Race: | White | 64 |
| | Black | 52 |
| Residence: | Metropolitan | 64 |
| | Non-Metropolitan | 59 |
| | North-west | 66 |
| | South | 55 |
| Education: | 8 years or less | 47 |
| | 9-11 years | 52 |
| | 12 years | 65 |
| | More than 12 years | 79 |
| Employment: | Employed | 66 |
| | Unemployed | 50 |
| | Not in labor force | 59 |

# EQUALITY UNDER THE LAW

**The Equal Rights Amendment to the Constitution will render all laws which discriminate against women because of their sex unconstitutional.**

**In order to answer some of the most frequently raised questions about the effects of the Equal Rights Amendment, the Commission on the Status of Women has compiled the following information.**

**QUESTION:** In view of the Fifth and Fourteenth Amendments to the U.S. Constitution, why is there a need for the Equal Rights Amendment?

**ANSWER:** The extent to which women may invoke the protection of the due process and equal protection guarantees of the Fifth and Fourteenth Amendments is unclear. In fact, some recent court decisions have upheld sex distinctions in the law in spite of these constitutional provisions. The Equal Rights Amendment is therefore necessary specifically to eliminate all sex distinctions in the law.

**Under the Equal Rights Amendment:**

**QUESTION:** Will women lose their right to alimony?

**ANSWER:** No. Alimony could be awarded in case of divorce to either the man or woman depending on the economic needs and resources of each. There will be no presumption that the woman is the more financially dependent party.

**QUESTION:** Will the husband still be responsible for the support of his wife?

**ANSWER:** Yes. Maryland law presently provides that the husband has a duty to support his wife to the extent of necessaries and the Equal Rights Amendment would extend this obligation to the wife.

**QUESTION:** Will mothers as well as fathers be responsible for the support of their children?

**ANSWER:** At present, the law in Maryland makes both the mother and father equally responsible for the support of their children. This is also true in all states except four - Arizona, Colorado, Montana and Utah.

**QUESTION:** Will the mother lose her superior rights to child custody?

**ANSWER:** The mother presently does not have superior rights to child custody by law in Maryland or any other state. Custody by law is decided by court solely on the basis of what is best for the child. It should be noted that custody is more and more frequently being awarded to the father.

**QUESTION:** Will women lose maternity benefits?

**ANSWER:**

No maternity benefits will be taken away due to passage of the Equal Rights Amendment. Maternity benefits could be extended in those situations where benefits are now granted for disabilities other than maternity.

**QUESTION:** Would rape laws become unconstitutional?

**ANSWER:**

No. Rape laws would continue in effect. Laws which distinguish on the basis of sex where those laws deal with physical characteristics unique to one sex are not affected by the Equal Rights Amendment

**QUESTION:** Will the courts be flooded with litigation?

**ANSWER:**

The Equal Rights Amendment will not cause excessive litigation unless there is massive resistence to compliance with the Amendment's requirement of equal treatment of men and women. The "right" protected by the Amendment is the right to equal treatment under the law, whatever the subject of the law may be, without distinctions based on sex.

**QUESTION:** What will women's obligation be regarding military service?

**ANSWER:** The Maryland Equal Rights Amendment would make women equally subject to service in the militia or National Guard, both of which now meet their requirements through voluntary enlistments. When ratified, the Equal Rights Amendment to the U. S. Constitution would make women equally subject with men to military service, but women would not be required to serve in positions for which they are not qualified any more than men are required to so serve

**QUESTION:** What will be the effect of restrictive laws on women?

**ANSWER:** Maryland has very few labor laws which apply only to women. Laws limiting hours of labor for females have been repealed. Moreover, there are no restrictions on weights which a woman can lift. Federal Courts have already declared restrictive laws invalid because they violate the Equal Employment Opportunity laws. If a law is designed to protect the health and welfare of workers, its benefits will be applied equally to both men and women.

# VOTE ON EQUAL RIGHTS AMENDMENT BY STATES

✓ Passed ERA

X Not Passed ERA